# Calendar No. 1297

84TH CONGRESS, 1st Session } SENATE { REPORT No. 1286

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## MRS. MARIA DEL MUL

AUGUST 1, 1955.—Ordered to be printed

Mr. KILGORE, from the Committee on the Judiciary, submitted the following

## REPORT

[To accompany H. R. 929]

The Committee on the Judiciary, to which was referred the bill (H. R. 929) for the relief of Mrs. Maria Del Mul, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

### PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Mrs. Maria Del Mul. The bill provides for the payment of the required visa fee. No quota charge is provided for in the bill inasmuch as the beneficiary is married to a United States citizen and is, therefore, entitled to nonquota status.

### STATEMENT OF FACTS

The beneficiary of the bill is a 53-year-old native and citizen of Italy who last entered the United States on August 25, 1925. The beneficiary was not entitled to the visa she presented inasmuch as the visa was procured by fraud or misrepresentation in that she was not a nonquota immigrant as specified in the visa and that she admitted having committed a crime involving moral turpitude prior to entry, namely, perjury before an American consular officer, and forgery. The beneficiary was married on August 27, 1925, to a citizen of the United States and she has resided with her husband continuously in this country since 1925. They have two United States citizen children, both of whom are married.

A letter, with attached memorandum, dated April 15, 1954, to the then chairman of the Committee on the Judiciary of the House of Representatives from the Commissioner of Immigration and Naturali-

zation with reference to H. R. 6965, which was a bill introduced in the 83d Congress for the relief of the same beneficiary, reads as follows:

APRIL 15, 1954.

HON. CHAUNCEY W. REED,
*Chairman, Committee on the Judiciary,*
*House of Representatives, Washington, D. C.*

DEAR MR. CHAIRMAN: In response to your request of the Department of Justice for a report relative to the bill (H. R. 6965) for the relief of Marie Del Mul, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the Buffalo, N. Y., office of this Service, which has custody of those files.

The bill would grant the alien permanent residence in the United States upon payment of the required visa fee. The alien is inadmissible to the United States as one who admits the commission, prior to entry, of crimes involving moral turpitude, to wit, perjury and forgery. She is also inadmissible as one who has procured a visa by fraud or by willfully misrepresenting a material fact. Accordingly, while the bill would grant the beneficiary permanent residence notwithstanding such grounds of inadmissibility, it does not cover the rights of the beneficiary in the event she should ever depart from the United States and thereafter seek reentry.

The alien, as wife of a United States citizen, is eligible to nonquota status and, if otherwise qualified, would be entitled to an immigrant visa under section 101 (a) (27) (A) of the Immigration and Nationality Act.

Sincerely,

——— ———, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE MARIA DEL MUL, BENEFICIARY OF H. R. 6965

Maria Del Mul, native and citizen of Italy, was born at Cordenons, Udine, Italy, on January 18, 1902. She entered the United States as an immigrant at New York, N. Y., on August 25, 1925, and has remained in the United States continuously since that date.

The alien has been found to be deportable on the grounds that at the time of entry she was not entitled to enter the United States because she presented a visa procured by fraud or misrepresentation; that she was not a nonquota immigrant as specified in the visa, and that she admits having committed a felony or other crime involving moral turpitude prior to entry—to wit, perjury before an American consular official and forgery. The alien obtained her nonquota immigrant visa from the American consulate in 1925 by representing herself as her sister, Adela De Marco, who was born in Pehuajo, Argentina, South America, and then signing the name of her sister "Adela De Marco" to the visa application in order to carry through the false representation of herself as her sister. Although the beneficiary has been granted voluntary departure from the United States, she has failed to depart.

Mrs. Maria Del Mul has lived continuously with her husband in Ashtabula County, Ohio, since her marriage on August 27, 1925. They have two native-born children, both married. Her mother and sister reside in South America. The beneficiary and her husband operate their own farm, valued about $30,000 and free of encumbrances. They have other assets totaling about $10,000.

Congressman Oliver P. Bolton, the author of the bill, submitted the following letters in support of the bill:

HOUSE OF REPRESENTATIVES,
*Washington, D. C., January 24, 1955.*

HON. EMANUEL CELLER,
*Chairman, the Committee on the Judiciary,*
*House of Representatives, Washington, D. C.*

DEAR MR. CHAIRMAN: Enclosed is a copy of my bill, H. R. 929 for the relief of Mrs. Maria Del Mul, which has been referred to the Judiciary Committee.

I introduced a similar bill during the last session of Congress, H. R. 6965. A report was received from the Department of Justice, but no action was taken on the bill.

In the limited number of years that I have considered similar cases, both in my own office and that of another Congressman for whom I worked, the case of

Mrs. Del Mul seem exceedingly deserving of favorable consideration. I will certainly appreciate your committee taking early action on this legislation as is possible, and shall be grateful if you would ask the staff to keep me informed as to the conclusions reached thereon.

With every best wish,

Ever sincerely,

OLIVER P. BOLTON,
*Representative to Congress, 11th District, Ohio.*

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ANDOVER, OHIO, *January 27, 1954.*

Re H. R. 6965.

Hon. OLIVER P. BOLTON,
*Congressman, 11th District, Ohio.*
*Washington, D. C.*

DEAR MR. BOLTON: Mrs. Maria Del Mul of R. F. D. No. 1, Dorset, Ohio, has asked me to give you the information requested in your letter of January 20 as follows: (1) She entered the United States on August 25, 1925 at New York City; (2) She was born January 18, 1902 in Cordenons, Udine Provence, Italy. (3) (Type of admission with explanation) She wished to come to the United States to marry her fiance who was then in Cleveland, Ohio. The quota from Italy was filled and instead of waiting her turn, she came in under the name of her sister, Adelia DeMarco, who had obtained permission to enter the United States under extra quota. She came over from Genoa on the Steamship *Duilio*, and was married at Cleveland, Ohio, on August 27, 1925. (4) Her permanent address is R. F. D. No. 1, Dorset, Ohio (Ashtabula County). She has two children born in the United States as follows: Clara A. Thompson, 230 North Turner Road, Youngstown 9, Ohio, age 27 years, and Henry A. Del Mul, R. F. D. No. 1, Dorset, Ohio, age 24 years.

Mrs. Del Mul and her family deeply appreciate your efforts in aiding her in becoming an American citizen. If there is any other information you desire in the form of affidavits or otherwise, please let me know.

Sincerely yours,

C. A. LINDSLEY, *Attorney at Law.*

The committee, after consideration of all the facts in the case, is of the opinion that the bill (H. R. 929) should be enacted.

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AUG 8 1955
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Calendar No. 1298

84TH CONGRESS, 1st Session — SENATE — REPORT No. 1287

# VERA GREGOVICH KENTER

AUGUST 1, 1955.—Ordered to be printed

Mr. KILGORE, from the Committee on the Judiciary, submitted the following

## REPORT

[To accompany H. R. 1235]

The Committee on the Judiciary, to which was referred the bill (H. R. 1235) for the relief of Vera Gregovich Kenter having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

### PURPOSE OF THE BILL

The purpose of the bill is to grant to the minor child adopted by citizens of the United States the status of a nonquota immigrant which is the status normally enjoyed by the alien minor children of citizens of the United States.

### STATEMENT OF FACTS

The beneficiary of the bill is a 16-year-old native and citizen of Yugoslavia who presently resides in that country. She has been adopted by Mr. and Mrs. Sam Kenter by proxy. The beneficiary's natural parents are the sister and brother-in-law of Mr. Kenter and have given their consent to the adoption.

A letter, with attached memorandum, dated June 16, 1955, to the chairman of the Committee on the Judiciary of the House of Representatives from the Commissioner of Immigration and Naturalization with reference to the case, reads as follows:

UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
*Washington, D. C., June 16, 1955.*

Hon. EMANUEL CELLER,
*Chairman, Committee on the Judiciary,*
*House of Representatives, Washington, D. C.*

DEAR MR. CHAIRMAN: In response to your request for a report relative to the bill (H. R. 1235) for the relief of Vera Gregovich Kenter, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to

the beneficiary by the San Francisco, Calif., office of this Service, which has custody of these files.

The bill would provide that for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, which provides for the issuance of nonquota immigrant visas to children of citizens of the United States, the beneficiary shall be held and considered to be the natural-born alien child of Mr. and Mrs. Sam Kenter, citizens of the United States.

As a quota immigrant the beneficiary would be chargeable to the quota for Yugoslavia.

Sincerely,

_____ _____, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES CONCERNING VERA GREGOVICH KENTER, BENEFICIARY OF H. R. 1235, 84TH CONGRESS

The information concerning this case was obtained from Mr. and Mrs. Sam Kenter, beneficiary's adoptive parents. The beneficiary is a 15-year-old child, now a citizen of Yugoslavia, born June 8, 1939. She has never been in the United States and is attending school and residing with her parents in Yugoslavia. She was adopted in a Yugoslavian court by proxy for, and in behalf of, Sam Kenter, the sponsor of the bill. Her natural parents are Spero and Dragica Gregovich, brother-in-law and sister of Mr. Kenter, who are alleged to have given their consent to the adoption. As the aforementioned natural parents have two other children, and Mr. and Mrs. Kenter have had no children of their own, it is their desire to bring the beneficiary to the United States to rear and educate her.

Mr. Sam Kenter is a native of Yugoslavia and a citizen of the United States by naturalization at Fairbanks, Alaska, June 11, 1940. He and his wife reside at 3246 Scott Street, San Francisco, Calif., where the beneficiary will reside if she comes to the United States. Mr. Kenter is half owner of the Miljen's Dressmaking Shop, San Francisco, from which he received an income of $2,048 in 1954. He also owns his own home and rental properties, which he holds to be worth $50,000, free from incumbrances of any kind, a Dodge car valued at $1,500, $2,000 in the bank, and $4,500 in bonds.

Congressman William S. Mailliard, the author of the bill, appeared before a subcommittee of the Committee on the Judiciary of the House of Representatives and testified in support of the bill, as follows:

H. R. 1235, would accord the beneficiary, Vera Gregovic Kenter, nonquota status, and permit her entry into the United States so that she may be educated here. This bill would not deduct a number from the already heavily subscribed Yugoslav quota. Mr. and Mrs. Sam Kenter, the adoptive parents, are anxious to have their adopted daughter here at the earliest practicable date, since they wish that she be educated in the United States, rather than "in the Communist-controlled schools in Yugoslavia." It is also important that the Congress approve this bill at an early date because communications furnished me indicate that considerable difficulty is experienced in securing a renewal of Miss Kenter's passport.

In addition, Congressman Mailliard submitted the following information in support of the bill:

THE FOREIGN SERVICE OF THE UNITED STATES OF AMERICA,
AMERICAN EMBASSY, BELGRADE, YUGOSLAVIA,
*July 30, 1954.*

Mr. DANIEL G. VUCETICH,
*Special Representative, San Francisco, Calif.*

SIR: I have received your letter of July 20, 1954, regarding the immigrant visa case of Miss Vera Gregovic Kenter. You state Miss Kenter is the adopted daugher of Mr. and Mrs. Sam Kenter, and that their petition to obtain fourth preference status for her cannot be approved until a copy of the approved adoption petition is presented to the office of the Immigration and Naturalization Service in San Francisco.

There is herewith enclosed the copy of the adoption petition as approved by the competent Yugoslav authority.

The Embassy's records show that Miss Kenter is entitled to nonpreference status under the Yugoslav quota with a registration priority of August 20, 1953.

When the above-mentioned petition is approved and received in the Embassy, her case will be reclassified to reflect her fourth preference status. In this connection, I should like to advise that the small Yugoslav quota is heavily oversubscribed, and for this reason, the Embassy will not be able to take action in Miss Kenter's case when the petition is issued. Fourth preference quota numbers for applicants with Miss Kenter's priority of registration are not expected to become available for some years to come.

I wish to asure you that when action is possible in Miss Kenter's case, it will promptly be taken.

Very truly yours,

RICHARD A. GODFREY,
*American Vice Consul.*

ADOPTION PETITION

(Pos. No. 784)

Memorandum compiled in the People's Committee of the District of Bar, in the Commission for Health and Social Security, on February 1, 1954, upon the application by Luka Djurasevic, from San Francisco and now temporarily living in Tudorovici, being a holder of power of attorney by Vasa and Milica Kentera from San Francisco, by which application the adoption of the minor Vjera Gregovic, daughter of Spiro and Dragica, is requested.

Present: From the committee: Chairman Andrija Djokvucic and Secretary Mara Jovanovic; 1. Luka Djurasevic, 2. Spiro Gregovic, 3. Dragica Gregovic, and 4. Vjera Gregovic.

Hereby it is acknowledged that all persons, necessary for the fulfillment of this adoption are present; the applications of Luka Djurasevic, having the power of attorney for the fulfillment of this adoption, and of Spiro and Dragica Gregovic, being the parents of the minor Vjera Gregovic, are read; and Luka Djurasevic, being questioned, declares; I, being the holder of power of attorney for Vasa and Milica Kentera, state that it is a cherished and free will of Vasa and Milica Kentera to adopt the minor Vjera Gregovic, daughter of Spiro and Dragica Gregovic; this they are doing for the special reason Vaso being an uncle of Vjera and besides, having no children of their own and therefore and upon their wish they fulfill this adoption; besides, they declared their will before the Consulate General of the F. P. R. Y. in San Francisco, on December 12, 1953, which declaration is enclosed in original.

The present Spiro Gregovic, father of the minor Vjera, and Dragica Gregovic, mother of the minor Vjera, declared that it is their cherished will and wish and consent that their minor daughter be adopted by Vasa and Milica Kentera, who are permanent residents of San Francisco; they are doing this, believing that for the future of their daughter Vjera it is better that she be adopted, as well as that she goes to live permanently with them to San Francisco.

The present minor Vjera (who is more than 10 years of age) declares that she consents to be adopted by her uncle Vasa Kentera and her aunt Milica, believing that it is better for her future to be adopted by her uncle and aunt and insofar more because she will have to live permanently in San Francisco. She consents also to receive the surname of her adoptioners.

The holder of the power of attorney of the adoptioners declares that it is the wish of Vasa and Milica that the minor Vjera receives the surname of her adoptioners Kentera, as their daughter; as well as that she will have all hereditary and parental rights toward her adoptioner Vasa, regardless they would have their own children in the future.

The present Spiro and Dragica declared their consent as the parents of the minor Vjera that she receives the surname of her adoptioners and that she be known from now on as Kentera, daughter of Vasa and Milica Kentera, with all hereditary and parental rights.

After being read to the adoptioners, through their holder of power of attorney, and to the parents of the minor Vjera, as well as to the present Vjera, the paragraphs 17, 18, and 19 of the Law of Adoption and all the prescribed legal conditions for this adoption being fulfilled, it is decided upon the following decision:

The adoption of the minor Vjera Kentera by Vasa and Milica Kentera is permitted and promulgated, with the consequence that from now on Vjera receives the name and surname of her adoptioners Kentera, with all hereditary and other parental rights of the adoptioners Kentera.

Herewith it is promulgated that the adoption is fulfilled.
Hereupon all present persons sign the memorandum.
From the People's Committee:

illegible, m. p.
ANDRIJA DJOKVUCIC,
*Chairman.*

MARA JOVANOVIC, m. p.
Mara Jovanovic,
*Secretary.*

[L. S.]

1. Luka Jurasevich, m. p.
2. Spiro Gregovic, m. p.
3. Dragica Gregovic, m. p.
4. Vjera Kentera, m. p.

Stamps for 100.–, 10.– and 3.– Dinars

[L. S.]

The signature of the Chairman and the seal of the People's Committee of the District of Bar are hereby certified.

Tax in the amount of Dinars 113.– is paid and duly cancelled. District Court in Bar, on March 13, 1954. No. OV.I–8/54.

[L. S.]

illegible, m. p.
AHMET SKEJOVIC,
*President of the Court.*

Stamp for 50.–Din.

[L. S.]

PEOPLE'S REPUBLIC CRNA GORA (MONTENEGRO),
DEPARTMENT OF STATE FOR JUDICIARY ADMINISTRATION, No. 254/54

TITOGRAD, *March 22, 1954.*

The authenticity of the seal and of the signature of the President of the District Court in Bar is hereby confirmed by the Department of State for Judiciary Administration of the P. R. Crna Gora (Montenegro).

Tax is paid according to Tar. No. 31 of the Law on Taxes.

[L. S.]

illegible, m. p.
(Uros Zekovic), *Chairman.*

Stamp for 50.–Din.

[L. S.]

Department of State for Foreign Affairs has seen and certifies the authenticity of the signature of Mr. Uros Zekovic and the official seal of the Department of State for Judiciary Administration of the P. R. Crna Gora (Montenegro).

Tax paid, Dinars 50.—No. 511257/54.

Belgrade, April 14, 1954.

[L. S.]

Chief of the Legalization Section,
*illegible, m. p.*
A. Popovic,

PEOPLE'S REPUBLIC CRNA GORA (MONTENEGRO),
PEOPLE'S COMMITTEE OF THE DISTRICT OF BAR,
COMMISSION FOR HEALTH AND SOCIAL SECURITY No. 784.

BAR, *February 1, 1954.*

Pursuant to pars. 13 and 14 of the Law on Adoption, and pursuant to the Memorandum of the above-mentioned Committee of today's date, it is decided upon the following decision with which it is confirmed that the adoption of Vjera Gregovic was fulfilled by Basa and Milica Kentera, from San Francisco; and it is confirmed that Vjera received the new name and surname, and that she will be from now on known as Vjera Kentera, with all hereditary and parental rights of the adoptioners Vasa and Milica Kentera.

Death to fascism—freedom to the people.

[L. S.]

illegible, m. p.
(Andrija Djokuvicic)
*Chairman.*

MARA JOVANOVIC, *Secretary.*
(Mara Jovanovic).

Stamps for 100.–, 10.– and 3.– DINARS

[L. S.]

The signature of the Chairman and the seal of the People's Committee of the District of Bar are hereby certified.

Tax in the amount of Dinars 113.– is paid and duly canceled.

District Court in Bar, on March 13, 1954, No. OV.I–8/54—.

[L. S.]

illegible, m. p.
(Ahmet Skejovic),
*President of the Court.*

Stamp for 50.–Din.

[L. S.]

PEOPLE'S REPUBLIC CRNA GORA (MONTENEGRO),
DEPARTMENT OF STATE FOR JUDICIARY ADMINISTRATION No. 254/54.
TITOGRAD, *March 22, 1954.*

The authenticity of the seal and of the signature of the President of the District Court in Bar is hereby confirmed by the Department of State for Judiciary Administration of the P. R. Crna Gora (Montenegro).

[L. S.]

illegible, m. p.
(Uros Zekovic),
*Chairman.*

Department of State for Foreign Affairs has seen and certifies the authenticity of the signature of Mr. Uros Zekovic and of the official seal of the Department of State for Judiciary Administration of P. R. Crna Gora (Montenegro).

Stamp for Din. 50–.

[L. S.]

Tax paid, Dinars 50.–. No. 511257/54.

Belgrade, April 14, 1954.

[L. S.]

illegible, m. p.
A. Popovic,
*Chief of Legalization Section.*

The committee, after consideration of all the facts in the case, is of the opinion that the bill (H. R. 1235) should be enacted.

( )

# Calendar No. 1299

84TH CONGRESS, 1st Session } SENATE { REPORT No. 1288

UNIV. OF MICH.
AUG 8 1955
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## VASILIOS LIAKOPOULOS

AUGUST 1, 1955.—Ordered to be printed

Mr. KILGORE, from the Committee on the Judiciary, submitted the following

# REPORT

[To accompany H. R. 1319]

The Committee on the Judiciary, to which was referred the bill (H. R. 1319) for the relief of Vasilios Liakopoulos, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

### PURPOSE OF THE BILL

The purpose of the bill is to grant to the minor child adopted by citizens of the United States the status of a nonquota immigrant which is the status normally enjoyed by alien minor children of United States citizens.

### STATEMENT OF FACTS

The beneficiary of the bill is a 12-year-old native and citizen of Greece who presently resides in Greece with his natural parents. He was adopted by the sponsors on February 11, 1953, in Greece. The adoptive father is the half-brother of the beneficiary's natural father.

A letter, with attached memorandum, dated December 17, 1954, to the then chairman of the Committee on the Judiciary of the House of Representatives from the Commissioner of the Immigration and Naturalization Service with reference to H. R. 9929, which was a bill pending in the 83d Congress for the relief of the same alien reads as follows:

UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
*Washington 25, D. C., December 17, 1954.*

Hon. CHAUNCEY W. REED,
*Chairman, Committee on the Judiciary,*
*House of Representatives, Washington 25, D. C.*

DEAR MR. CHAIRMAN: In response to your request of the Department of Justice for a report relative to the bill (H. R. 9929) for the relief of Vasilios Liako-

poulos, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the Boston, Mass., office of this Service, which has custody of those files.

The bill is intended to confer nonquota status upon the alien child pursuant to sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, by providing that the child shall be considered the natural-born alien child of United States citizens.

As a quota immigrant the child would be chargeable to the quota of Greece.

Sincerely,

——— ———, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE VASILIOS LIAKOPOULOS (FORMERLY GIAMAS), BENEFICIARY OF H. R. 9929

Information concerning the beneficiary of the bill, who has never been in the United States, was given by the male sponsor and adoptive father, Gregory Liakopoulos, who resides at 100 Brookline Street, Cambridge, Mass., with his wife, Anna Liakopoulos, the female sponsor and adoptive mother. The beneficiary was adopted in the Court of Pyrgo, Elias, Greece, on February 11, 1953, through arrangements made with the Greek consul in Boston. Neither Gregory nor Anna Liakopoulos was in Greece at the time of the adoption. The beneficiary's adoptive father presented an English translation of the certified record of adoption by Gregoriou Liakopoulos and wife, Anna, formerly Ioannou Leotsakou, of Vasilior Kanelou Giamas, in Pyrgo, Elias, Greece, on February 11, 1953, which record was returned to him. The adoptive father is the half-brother of the beneficiary's natural father. The name of the alien was legally changed to Vasilios Liakopoulos at the time of adoption.

Vasilios Liakopoulos, former Giamas, is a native and citizen of Greece, who was born on March 13, 1943. He is presently residing in Vounargon, Elias, Greece, with his natural parents and six brothers and sisters. The natural parents of the beneficiary were born in Greece and never resided in the United States. He is presently attending the fourth grade of elementary school in Vounargon, Greece.

The male sponsor, adoptive father, was born in Greece on May 22, 1902. He entered the United States on July 26, 1923, and became a naturalized citizen of this country on September 13, 1943. He was married to the cosponsor in Lowell, Mass., on May 12, 1929, and this is his only marriage. He is employed as a cook at the Commonwealth Pier Lunch, 199 Northern Avenue, Boston, Mass., at a salary of $60 per week.

The female sponsor, adoptive mother, was born in Greece on January 1, 1904. Her marriage to the male sponsor is her only marriage. She entered the United States on August 6, 1916, and became a naturalized citizen of this country on September 13, 1943. She is employed by the Revelation Bra Co., Maine Street, Cambridge, Mass., as a machine operator, at a salary of approximately $2,000 per year.

There were no children born to the sponsors, and their motive in adopting the beneficiary was in order that they may have a child. The sponsors' assets consist of $16,761.97 in joint savings accounts, $1,800 in United States savings bonds, and an automobile valued at approximately $1,500. They have contributed between $400 and $500 toward the support of the beneficiary and his family during 1954, and have also sent him clothing.

A letter dated August 20, 1954, from the Director of the Visa Office, Department of State, to the then chairman of the Committee on the Judiciary of the House of Representatives with reference to H. R. 9929 reads as follows:

DEPARTMENT OF STATE,
*Washington, August 20, 1954.*

Hon. CHAUNCEY W. REED,
*Chairman, Committee on the Judiciary,*
*House of Representatives.*

DEAR MR. REED: Reference is made to your letter of July 21, 1954, and its enclosures, wherein you request a report of the facts in the case of Vasilios Liakopoulos, beneficiary of H. R. 9929, 83d Congress, 2d session.

A report has been received from the American Embassy at Athens, Greece, stating that Vasilios is registered as a fourth preference applicant under the Greek

quota as of September 14, 1953. Unfortunately, since there is such a heavy registered demand for preference visas under the Greek quota, it is anticipated that Vasilios will necessarily encounter a considerable delay in the issuance of an immigrant visa under the Immigration and Nationality Act.

Although the report further states that Mr. Liakopoulos son's case will be considered under section 4 (a) (8) of the Refugee Relief Act when his date of priority is reached on the waiting list, it is not possible at this time to state what prospects the alien may have of being reached under that provision of law in view of the heavy registration of aliens in the various preference categories.

Sincerely yours,

EDWARD S. MANEY,
*Director, Visa Office*
(For the Secretary of State).

Congressman Thomas P. O'Neill, the author of the bill, submitted the following letter in support of the bill:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
*Washington, D. C., January 25, 1955.*

Re Liakopoulos, Vasilious (84th Cong., H. R. 1319; 83d Cong., H. R. 9929).

Hon. EMANUEL CELLER,
*Chairman, House Committee on the Judiciary,*
*Old House Office Building, Washington 25, D. C.*

DEAR MR. CHAIRMAN: I am enclosing a copy of the legislation which I have presented in behalf of the above-named. He is a Greek national, and is the adopted son of Gregory and Anna Liakopoulos of 100 Brookline Street, Cambridge, Mass. He will be 12 years old on March 13, 1955.

At the present time the lad is entitled only to a fourth preference under the quota for Greece, with a registration date of September 14, 1953. The couple who have adopted him have no children of their own and are anxious to expedite his arrival in the United States.

A report on this case was received from the Department of State on September 3, 1954, and from the Department of Justice on December 27, 1954. I shall appreciate it if arrangements can be made for a hearing at an early date.

Thank you for your courtesy.

Sincerely,

THOMAS P. O'NEILL, Jr.,
*Member of Congress.*

The committee, after consideration of all the facts in the case, is of the opinion that the bill (H. R. 1319) should be enacted.

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# Calendar No. 1300

84TH CONGRESS, 1st Session } SENATE { REPORT No. 1289

UNIV. OF MICH.
AUG 8 1955
LAW LIBRARY

## MARY MANCUSO

AUGUST 1, 1955.—Ordered to be printed

Mr. KILGORE, from the Committee on the Judiciary, submitted the following

## REPORT

[To accompany H. R. 1641]

The Committee on the Judiciary, to which was referred the bill (H. R. 1641) for the relief of Mary Mancuso, having considered the same, reports favorably thereon with amendment and recommends that the bill do pass.

### PURPOSE OF THE BILL

The purpose of the bill is to grant to the minor child to be adopted by citizens of the United States the status of a nonquota immigrant which is the status normally enjoyed by the alien minor children of citizens of the United States.

### STATEMENT OF FACTS

The beneficiary of the bill is an 11-year-old native and citizen of Italy who presently resides in that country with an aged grandmother. The beneficiary's natural parents are deceased. The beneficiary is to be adopted by Mr. and Mrs. Paul Torcasio, who are United States citizens. The beneficiary's two younger brothers have been admitted to the United States under the provisions of the Refugee Relief Act and have been adopted by Mr. and Mrs. Torcasio, and they are most anxious that the remaining child be admitted for permanent residence.

A letter, with attached memorandum, dated July 6, 1955, to the chairman of the Committee on the Judiciary of the House of Representatives from the Commissioner of Immigration and Naturalization with reference to the case reads as follows:

poulos, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the Boston, Mass., office of this Service, which has custody of those files.

The bill is intended to confer nonquota status upon the alien child pursuant to sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, by providing that the child shall be considered the natural-born alien child of United States citizens.

As a quota immigrant the child would be chargeable to the quota of Greece.

Sincerely,

———— ————, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE VASILIOS LIAKOPOULOS (FORMERLY GIAMAS), BENEFICIARY OF H. R. 9929

Information concerning the beneficiary of the bill, who has never been in the United States, was given by the male sponsor and adoptive father, Gregory Liakopoulos, who resides at 100 Brookline Street, Cambridge, Mass., with his wife, Anna Liakopoulos, the female sponsor and adoptive mother. The beneficiary was adopted in the Court of Pyrgo, Elias, Greece, on February 11, 1953, through arrangements made with the Greek consul in Boston. Neither Gregory nor Anna Liakopoulos was in Greece at the time of the adoption. The beneficiary's adoptive father presented an English translation of the certified record of adoption by Gregoriou Liakopoulos and wife, Anna, formerly Ioannou Leotsakou, of Vasilior Kanelou Giamas, in Pyrgo, Elias, Greece, on February 11, 1953, which record was returned to him. The adoptive father is the half-brother of the beneficiary's natural father. The name of the alien was legally changed to Vasilios Liakopoulos at the time of adoption.

Vasilios Liakopoulos, former Giamas, is a native and citizen of Greece, who was born on March 13, 1943. He is presently residing in Vounargon, Elias, Greece, with his natural parents and six brothers and sisters. The natural parents of the beneficiary were born in Greece and never resided in the United States. He is presently attending the fourth grade of elementary school in Vounargon, Greece.

The male sponsor, adoptive father, was born in Greece on May 22, 1902. He entered the United States on July 26, 1923, and became a naturalized citizen of this country on September 13, 1943. He was married to the cosponsor in Lowell, Mass., on May 12, 1929, and this is his only marriage. He is employed as a cook at the Commonwealth Pier Lunch, 199 Northern Avenue, Boston, Mass., at a salary of $60 per week.

The female sponsor, adoptive mother, was born in Greece on January 1, 1904. Her marriage to the male sponsor is her only marriage. She entered the United States on August 6, 1916, and became a naturalized citizen of this country on September 13, 1943. She is employed by the Revelation Bra Co., Maine Street, Cambridge, Mass., as a machine operator, at a salary of approximately $2,000 per year.

There were no children born to the sponsors, and their motive in adopting the beneficiary was in order that they may have a child. The sponsors' assets consist of $16,761.97 in joint savings accounts, $1,800 in United States savings bonds, and an automobile valued at approximately $1,500. They have contributed between $400 and $500 toward the support of the beneficiary and his family during 1954, and have also sent him clothing.

A letter dated August 20, 1954, from the Director of the Visa Office, Department of State, to the then chairman of the Committee on the Judiciary of the House of Representatives with reference to H. R. 9929 reads as follows:

DEPARTMENT OF STATE,
*Washington, August 20, 1954.*

Hon. CHAUNCEY W. REED,
*Chairman, Committee on the Judiciary,*
*House of Representatives.*

DEAR MR. REED: Reference is made to your letter of July 21, 1954, and its enclosures, wherein you request a report of the facts in the case of Vasilios Liakopoulos, beneficiary of H. R. 9929, 83d Congress, 2d session.

A report has been received from the American Embassy at Athens, Greece, stating that Vasilios is registered as a fourth preference applicant under the Greek

quota as of September 14, 1953. Unfortunately, since there is such a heavy registered demand for preference visas under the Greek quota, it is anticipated that Vasilios will necessarily encounter a considerable delay in the issuance of an immigrant visa under the Immigration and Nationality Act.

Although the report further states that Mr. Liakopoulos son's case will be considered under section 4 (a) (8) of the Refugee Relief Act when his date of priority is reached on the waiting list, it is not possible at this time to state what prospects the alien may have of being reached under that provision of law in view of the heavy registration of aliens in the various preference categories.

Sincerely yours,

EDWARD S. MANEY,
*Director, Visa Office*
(For the Secretary of State).

Congressman Thomas P. O'Neill, the author of the bill, submitted the following letter in support of the bill:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
*Washington, D. C., January 25, 1955.*

Re Liakopoulos, Vasilious (84th Cong., H. R. 1319; 83d Cong., H. R. 9929).

Hon. EMANUEL CELLER,
*Chairman, House Committee on the Judiciary,*
*Old House Office Building, Washington 25, D. C.*

DEAR MR. CHAIRMAN: I am enclosing a copy of the legislation which I have presented in behalf of the above-named. He is a Greek national, and is the adopted son of Gregory and Anna Liakopoulos of 100 Brookline Street, Cambridge, Mass. He will be 12 years old on March 13, 1955.

At the present time the lad is entitled only to a fourth preference under the quota for Greece, with a registration date of September 14, 1953. The couple who have adopted him have no children of their own and are anxious to expedite his arrival in the United States.

A report on this case was received from the Department of State on September 3, 1954, and from the Department of Justice on December 27, 1954. I shall appreciate it if arrangements can be made for a hearing at an early date.

Thank you for your courtesy.

Sincerely,

THOMAS P. O'NEILL, Jr.,
*Member of Congress.*

The committee, after consideration of all the facts in the case, is of the opinion that the bill (H. R. 1319) should be enacted.

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# Calendar No. 1300

84TH CONGRESS, 1st Session } SENATE { REPORT No. 1289

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## MARY MANCUSO

AUGUST 1, 1955.—Ordered to be printed

Mr. KILGORE, from the Committee on the Judiciary, submitted the following

# REPORT

[To accompany H. R. 1641]

The Committee on the Judiciary, to which was referred the bill (H. R. 1641) for the relief of Mary Mancuso, having considered the same, reports favorably thereon with amendment and recommends that the bill do pass.

### PURPOSE OF THE BILL

The purpose of the bill is to grant to the minor child to be adopted by citizens of the United States the status of a nonquota immigrant which is the status normally enjoyed by the alien minor children of citizens of the United States.

### STATEMENT OF FACTS

The beneficiary of the bill is an 11-year-old native and citizen of Italy who presently resides in that country with an aged grandmother. The beneficiary's natural parents are deceased. The beneficiary is to be adopted by Mr. and Mrs. Paul Torcasio, who are United States citizens. The beneficiary's two younger brothers have been admitted to the United States under the provisions of the Refugee Relief Act and have been adopted by Mr. and Mrs. Torcasio, and they are most anxious that the remaining child be admitted for permanent residence.

A letter, with attached memorandum, dated July 6, 1955, to the chairman of the Committee on the Judiciary of the House of Representatives from the Commissioner of Immigration and Naturalization with reference to the case reads as follows:

UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
*Washington 25, D. C., July 6, 1955.*

Hon. EMANUEL CELLER,
*Chairman, Committee on the Judiciary,*
*House of Representatives, Washington, D. C.*

DEAR MR. CHAIRMAN: In response to your request of the Department of Justice for a report relative to the bill (H. R. 1641) for the relief of Mary Mancuso, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the Cleveland, Ohio, office of this Service, which has custody of those files.

The bill is intended to confer nonquota status upon the beneficiary under sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act by providing that she shall be held and considered to be the natural-born child of United States citizens.

Sincerely,

———— ————, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE MARY MANCUSO, BENEFICIARY OF H. R. 1641

Information relating to the beneficiary has been obtained from Mr. Paul Torcasio and his wife, Stella Barbara Torcasio, 2607 19th Street NW., Canton, Ohio.

The beneficiary, Mary Mancuso, 11 years of age, a native and citizen of italy, was born on July 20, 1943, in Nicastro, Catanzaro, Italy. She is the orphaned daughter of Mr. and Mrs. Battista Mancuso, natives and citizens of Italy, who were killed in an accident 2 or more years ago. Battista Mancuso was a first cousin of Paul Torcasio.

The address of the beneficiary is Capizzagli Brutto, Nicastro, Catanzaro, Italy, where she resides with her grandmother, Maria Torcasio, a woman now in her seventies and almost destitute. The beneficiary has no income and no assets. She has never entered the United States. There is no known ground for exclusion.

Both of the sponsors are citizens of the United States. Mr. Paul Torcasio was born in Italy on January 5, 1916, was lawfully admitted to the United States for permanent residence at New York, N. Y., on November 18, 1928, and derived citizenship of the United States on that date through the naturalization of his father, Louis Torcasio, in the court of common pleas, Canton, Ohio, on March 21, 1928. Stella Barbara Torcasio, nee Battista, was born in New Castle, Pa., on August 15, 1920. She was married to Paul Torcasio at Canton, Ohio, on October 26, 1940. No children have been born to the couple.

Mr. Torcasio is employed by the Republic Steel Corp., Canton, Ohio, as an inspector and receives a salary of $5,041 annually. He has an $11,700 equity in his home which is valued at $20,000 and has cash assets of approximately $1,300. Mr. Torcasio served in the United States Air Force from June 1940, until he was honorably discharged on January 12, 1943.

The beneficiary has two young brothers, Pasquale and Francesco, born in her native village on March 31, 1949, and March 15, 1952, respectively. They resided with the beneficiary and their grandmother in Italy until recently, when they were admitted to the United States for permanent residence under the Refugee Relief Act of 1953. These orphaned children were brought to the United States by the sponsors, who have now adopted them. The beneficiary, being past the age limit, was ineligible for a visa under the act. No administrative relief is available to her. The sponsors, most eager to receive the beneficiary and to keep the family unit intact, intend to adopt her if and when she is admitted to the United States.

The Administrator of the Bureau of Security and Consular Affairs, Department of State, also submitted the following report dated July 1, 1955, to the Committee on the Judiciary of the House of Representatives:

DEPARTMENT OF STATE,
BUREAU OF SECURITY AND CONSULAR AFFAIRS,
*Washington, July 1, 1955.*

Hon. EMANUEL CELLER,
*Chairman, Committee on the Judiciary,*
*House of Representatives.*

DEAR MR. CELLER: I refer to H. R. 1641, 84th Congress, 1st session, introduced by Mr. Bow under date of January 6, 1955, for the relief of Mary Mancuso.

The Department is informed that Mary Mancuso, a child 12 years of age has been adopted by Mr. and Mrs. Paul Torcasio, United States citizens. Mr. and Mrs. Torcasio previously adopted two brothers of Mary Mancuso and brought them to the United States under the provisions of the Refugee Relief Act relating to children under 10 years of age. As Mary Mancuso is over 10 years of age she is ineligible for consideration under the Refugee Relief Act and faces an indefinite wait to receive a nonpreference immigrant visa under the Italian quota. The enactment of this legislation will be necessary to permit this 12-year-old child to join her brothers and adoptive parents in the United States. The Department perceives no objection to the enactment of this private bill.

Sincerely yours,

SCOTT MCLEOD, *Administrator.*

The committee, after consideration of all the facts in the case, is of the opinion that the bill (H. R. 1641) should be enacted.

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Calendar No. 1301

84TH CONGRESS } SENATE { REPORT
1st Session } { No. 1290

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# RODOLFO PUGEDA DE LA CERNA

AUGUST 1, 1955.—Ordered to be printed

Mr. KILGORE, from the Committee on the Judiciary, submitted the following

## REPORT

[To accompany H. R. 1909]

The Committee on the Judiciary, to which was referred the bill (H. R. 1909) for the relief of Rodolfo Pugeda de la Cerna, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

### PURPOSE OF THE BILL

The purpose of the bill is to grant to the minor child adopted by a citizen of the United States the status of a nonquota immigrant which is the status normally enjoyed by the alien minor children of United States citizens.

### STATEMENT OF FACTS

The beneficiary of the bill is a 17-year-old native and citizen of the Philippines who is presently in that country as a student of the Catholic faith at the San Jose Seminary, Manila. The beneficiary was adopted in 1950 by Sgt. James F. de la Cerna. Sergeant Cerna was stationed in the Philippines with our Armed Forces for 4 years and became deeply involved in the Boy Scout movement of the Philippines and held the position of field scout commissioner at large of the Boy Scouts of the Philippines. He acted as godfather to the beneficiary and when the natural parents stated that they could no longer support him, Sergeant Cerna adopted the beneficiary. The beneficiary plans to attend Santa Fe Seminary if he is admitted to this country, and Sergeant Cerna and his mother plan to maintain a household where the beneficiary will live on vacations from the seminary.

A letter, with attached memorandum, dated May 18, 1955, to the chairman of the Committee on the Judiciary of the House of Representatives from the Commissioner of Immigration and Naturalization, with reference to the case, reads as follows:

UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
*Washington, D. C., May 18, 1955.*

Hon. EMANUEL CELLER,
*Chairman, Committee on the Judiciary,*
*House of Representatives, Washington, D. C.*

DEAR MR. CHAIRMAN: In response to your request of the Department of Justice for a report relative to the bill H. R. 1909 for the relief of Rodolfo Pugeda de la Cerna, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization files relating to the beneficiary by the Fresno, Calif., office of this Service which has custody of those files.

The bill would confer on the beneficiary the status of a natural-born alien child of James F. de la Cerna, a citizen of the United States, in order that the alien might be classified as a nonquota immigrant under the provisions of section 101 (a) (27) (A) of the Immigration and Nationality Act.

Sincerely,

———— ————, *Commissioner.*

NARRATIVE MEMORANDUM REPORT OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE RODOLFO PUGEDA DE LA CERNA, BENEFICIARY OF H. R. 1909

Rodolfo Pugeda De La Cerna was born February 8, 1938, in Sapa Cavite, Philippine Islands, and is a citizen of the Philippines. He is single and has never been married; he is a student of the Catholic faith at the San Jose Seminary, Quezon City, Manila, Philippine Islands. Information as to his blood parents is not available. He is the adopted son of Sgt. James F. De La Cerna, a recruiting sergeant for the United States Army stationed at Fresno, Calif., presently residing at 464 Yosemite Street, Apartment 4, Fresno.

Sgt. James F. De La Cerna is single and has never been married. It is his intense desire to devote himself to and provide for the religious training of the beneficiary. He proposes to establish a satisfactory home for the beneficiary in the event H. R. 1909 is acted upon favorably and the beneficiary ultimately admitted for permanent residence in the United States. The beneficiary would attend Santa Fe Seminary, Santa Fe, N. Mex., for several years after admission. The home would be in the care of Sergeant De La Cerna's mother, Margaret Contreras, at an appropriate place, depending upon the Sergeant's duty station. The sergeant has stated he will seriously consider giving up his military career and establishing himself in the Philippines with the beneficiary if unsuccessful in his attempts to achieve the admission of the beneficiary into the United States.

The beneficiary is supported through an allotment of Sergeant De La Cerna's pay in the amount of $137 per month.

Congressman Harlan Hagen, the author of the bill, submitted the following letters in support of the bill:

HOUSE OF REPRESENTATIVES,
*Washington, D. C., March 4, 1955.*

Hon. EMANUEL CELLER,
*Chairman, House Judiciary Committee,*
*House of Representatives, Washington, D. C.*

DEAR COLLEAGUE: This makes further reference to my bill H. R. 1909 for the relief of Rodolfo Pugeda de la Cerna. I enclose herewith for inclusion in the file certain documents which members of the staff of the Subcommittee on Immigration informed me it would be advisable to secure. It is my hope that the enclosures supply sufficient information to permit the bill to be given early consideration. In the event that further information is required, I would appreciate being advised promptly in order that it may be obtained.

I will be grateful for your cooperation.

Sincerely yours,

HARLAN HAGEN,
*Member of Congress.*

DETACHMENT NO. 7, 6400TH AREA SERVICE UNIT,
RECRUITING MAIN STATION,
*Fresno, Calif., February 15, 1955.*

*To Whom It May Concern:*

Sgt. James F. De La Cerna, RA39754486, has been a member of this detachment since August 1, 1953. Sergeant De La Cerna's character rating is excellent, and, to the best of my knowledge, he has maintained an excellent reputation in the community in which he resides.

Sergeant De La Cerna has been a member of the United States Army for approximately 9 years, and judging from his length of service and the expiration date of his present enlistment (August 31, 1959), it would appear that he plans to make the United States Army his career.

GEORGE A. ORFALEA,
*Captain, Infantry, Commanding.*

CATHOLIC WELFARE BUREAU,
DIOCESE OF MONTEREY-FRESNO,
*Fresno, Calif., February 24, 1955.*

*To Whom It May Concern:*

Sgt. James F. De La Cerna, United States Army, is well known to me. He is a man of the highest character and may be trusted unreservedly.

He has adopted Rudolfo De La Cerna, 17 years of age, in the Philippines. The boy is presently attending the Catholic Seminary, intending to become a priest. Anything that you can do to facilitate bringing Rudolfo to the United States so that he may see his father occasionally will be appreciated.

The sergeant is fully prepared and capable of supporting Rudolfo. When on leave from the seminary, the boy will live in a home in Bakersfield with the sergeant's mother.

If any more information is desired, you may contact my office.

Sincerely,

Very Rev. PAUL J. REDMOND, Ph. D.,
*Captain, Chaplains Corps, USNR.*

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FRESNO, CALIF., *February 25, 1955.*

*To Whom It May Concern:*

Sgt. James F. De La Cerna, United States Army, is an International Eagle Scout of the Philippines. He holds a thank-you award from the Philippine Government for his activity in youth work.

The sergeant is known to me through Youth Organization (Boy Scout) sponsored by the Fresno Exchange Club.

He is a man of fine character and good reputation and I do hope you can find a way to bring his son to the United States. He is capable of supporting and educating Rudolfo.

Sincerely,

ARTHUR V. ASTONE,
*Chairman, Youth Activity of Fresno Exchange Club.*

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*To Whom This May Concern:*

I, James F. De La Cerna, a sergeant in the United States Army, presently serving with the United States Army Recruiting Service in Fresno, Calif., Detachment 7, 6400th Service Unit, Fresno, Calif., state that:

In 1949 I was sent to the Philippines to serve in the 29th Engineer Base Topograph Battalion, Army Post Office 928. I served in that organization approximately 4 years. In that time, I became deeply involved in the scouting movement of the Philippines. I had and still have the position of field scout commissioner at-large of the Boy Scouts of the Philippines. I have made many good friends, one particular family by the name of Pugeda, and went so far as to become the godfather through confirmation in the Catholic Church of 1 of the 2 sons of 8 children of the same family. In a later date the mother informed me that she could no longer support and care for this child and was destined to give him away to some other member of her family. She also reminded me that as godfather of this boy, I was more or less obligated to help him in any way I could. Of course, this boy and I had become good friends and to the extent of my taking him with me on my scouting activities which involved speaking engagements and many

other scouting activities, and also caring for him financially, advising him as if he were my own son. I later enrolled him in a Catholic school, filed a petition for adoption in the Cavite Court of First Instance in the Philippines through the aid of an attorney who published the petition filed, in a local newspaper for 3 consecutive weeks for the information of interested paries who wished to either aid or oppose, against the adoption. Written consent from the mother pertaining to this adoption was obtained, his real father is deceased. I also searched through the battalion files for any regulations governing the adoption of Filipino children, but there was none at that time: however, at a later date a circular was published by the Philippine Command Air Force Base known as Clark Air Force Base PHILCOM, APO 74 to govern the future adoption of Filipino children.

In August 1950, the adoption of this boy was ordered approved by the presiding justice and the boy became legally mine. Immediately following the adoption some time in September of 1950 I was advised to put in for the new class Q allotment for the benefit of my son, which was approved by the Chief of Finance. My son had indicated to me at the time that he was desirous of becoming a Catholic priest, so after consulting with the local parish priest who encouraged me to sent him to a seminary, and I also consulted with a bishop who also urged me. I consented to send him to the San Jose Seminary, Post Office Box 3169, Manila, Philippines, where he is to this date.

I am providing for his support with the class Q allotment plus my base pay and sending him clothes and things that he needs there at the school. Lately I visited him in October, November, and December of 1954 and got him a dependent's identification card at the United States military port of Manila, Army post office 928, where he is privileged to pick up his mail and also visit the port dispensary when he is ill.

Should my son be allowed to enter the United States through the help of God, it is his and my intention that he continue his vocation for the priesthood. A letter of acceptance has been given me by the Archbishop of Santa Fe, N. Mex. allowing my son to enter his seminary on a trial basis.

The question of marriage has been put to me by many people and my answer is this, I have the intention of marrying a school teacher of Spanish descent who is teaching here in California, but I simply cannot marry her until she and my son get together and understand each other. Surely, I could not marry without my son knowing his stepmother first and I surely do not want to disappoint my future wife which may come for some reason or another, though she is aware of the adoption and my intention of gaining my son admittance to the United States. I have decided to wait with agreement with my fiance until my son reaches America and they become acquainted with each other. I am obligated to support my wife as a husband should, but at the present time I cannot, until I can centralize this problem where the three of us can live and be with each other as any family should.

I have adopted this boy, because I love him very much as my son. I am giving him the education and support that any father would do if he were in my position, but I could better myself as a parent to this boy if he were closer with me here. This is my third attempt to get him into the United States. Anyone can readily see that I cannot give him the love and consultation a father should to a boy of 17 years of age who is changing from boyhood to manhood. This boy became my son when he was 11 years of age, or 12. I wish to raise my son as a citizen of the United States so that some day he may when he is a man, be able to tell everyone the true meaning of life, liberty, and the pursuit of happiness; something that is lacking this very day in many parts of the world. But this he cannot do without the aid of the gentlemen who have asked for this statement who can help him to enter the country that teaches the principles, the United States.

I am definitely planning to purchase a home where my mother will live in Bakersfield where my son will live on his vacations from the seminary and will remain living there if he does not make the priesthood. I do not intend to buy this home unless he is sure to be admitted. I believe with my close to 10 years of service and my continued Army career that I shall be in a position to finance this son of mine while he lives in America and continues his studies.

Further, I sayeth not.

JAMES F. DE LA CERNA,
*Sergeant, RA39754486, Fresno, Calif.*

Signed, February 15, 1955.

The committee also received the following letter in support of this bill:

HEADQUARTERS, FORT BENJAMIN HARRISON,
OFFICE OF THE POST CHAPLAIN,
*Indianapolis, Ind., June 2, 1955.*

Hon. EMANUEL CELLER,
*Committee of the Judiciary,*
*House of Representatives,*
*Washington, D. C.*

DEAR MR. CELLER: I am writing on behalf of Sgt. James F. De La Cerna in regard to making it possible for him to have his adopted son, Rodolfo P. De La Cerna, brought to this country.

I know Sergeant De La Cerna personally. I find him qualified in every way to care for his adopted son, and his great act of charity toward the boy has given a homeless child love and protection.

This is not the typical case of a soldier adopting an orphan, bringing him to our country without sufficient planning for his future.

Since the adoption some years ago, Rodolfo has been in an excellent school. If, and when the boy comes to the United States, he will enter a seminary in Santa Fe, N. Mex., where he will complete his education for the priesthood.

I urge you as one of our outstanding American leaders to use your influence to make this possible. I feel certain that you will have no course to regret your interest in this worthy cause.

Thanking you kindly for your consideration and interest, I remain,
Sincerely,

Rev. THOMAS M. MORRISSY,
*Chaplain, United States Army.*

The committee, after consideration of all the facts in the case, is of the opinion that the bill (H. R. 1909) should be enacted.

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Calendar No. 1302

84TH CONGRESS, 1st Session | SENATE | REPORT No. 1291

AUG 8 1955
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# INGRID LISELOTTE POCH

AUGUST 1, 1955.—Ordered to be printed

Mr. KILGORE, from the Committee on the Judiciary, submitted the following

## REPORT

[To accompany H. R. 2079]

The Committee on the Judiciary, to which was referred the bill (H. R. 2079) for the relief of Ingrid Liselotte Poch having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

### PURPOSE OF THE BILL

The purpose of the bill is to grant to the minor child to be adopted by a citizen of the United States the status of a nonquota immigrant which is the status normally enjoyed by the alien minor children of United States citizens.

### STATEMENT OF FACTS

The beneficiary of the bill is a 12-year-old native and citizen of Czechoslovakia who presently resides with her grandparents in Germany. The beneficiary's mother is married to Cpl. George Thomas Murphy and was admitted to this country for permanent residence on November 2, 1953. The beneficiary's stepfather intends to adopt the beneficiary when he is admitted to this country.

A letter, with attached memorandum, dated June 23, 1955, to the chairman of the Committee on the Judiciary of the House of Representatives from the Commissioner of Immigration and Naturalization with reference to the case, reads as follows:

DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
*Washington, D. C., June 23, 1955.*

Hon. EMANUEL CELLER,
*Chairman, Committee on the Judiciary,*
*House of Representatives, Washington, D. C.*

DEAR MR. CHAIRMAN: In response to your request for a report relative to the bill (H. R. 2079) for the relief of Ingrid Liselotte Poch, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the New York, N. Y., office of this Service, which has custody of those files.

The bill would provide that, for the purposes of section 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the beneficiary shall be held and considered to be the natural-born alien child of a citizen of the United States, thus making her eligible to nonquota status.

As a quota immigrant the child would be chargeable to the quota of Czechoslovakia.

Sincerely,

——— ———, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE INGRID LISELOTTE POCH, BENEFICIARY OF PRIVATE BILL H. R. 2079

Information in this case was furnished by Col. George Thomas Murphy, who resides on Montgomery Road in Fort Montgomery, N. Y.

The beneficiary, Ingrid Liselotte Poch, was born on December 8, 1942, in Neudek, Czechoslovakia, and is a citizen of Czechoslovakia. She is reportedly 1 of 2 illegitimate children born to the former Adelinde Poch and has never been legitimated. She is unmarried and resides with her maternal grandparents in Lengries, Oberbayern, Germany, where she attends school. Funds for her support and maintenance are furnished by Corporal Murphy, who married the beneficiary's mother on February 17, 1953, in Kafertal, Mannheim, Germany.

The beneficiary's brother, Georg Poch, age 7 years, resides with his mother and Corporal Murphy in Fort Montgomery, N. Y. Both Georg Poch and Adelinde Murphy were admitted into the United States from Germany as permanent residents on November 2, 1953, in the company of Corporal Murphy, who was being rotated under military orders.

Cpl. George Thomas Murphy, United States Army Serial No. RA12326924, is a native of Providence, R. I. He was honorably discharged from the United States Navy in October 1947 after 5 years' service and since March 15, 1950, has been serving in the United States Army in this country and abroad. He is presently stationed at the United States Military Academy at West Point, N. Y., where he is attached to Headquarters Detachment 1802, Special Regiment. He is principally responsible for the support of the beneficiary, her mother, and her brother. Corporal Murphy's assets consist of $10,000 in national service life insurance, a late model automobile, and personal effects with an estimated value of $2,000 or $3,000. It is his intention to legally adopt the beneficiary and her brother at such time as the beneficiary is admitted into the United States.

The beneficiary has never been in the United States. A petition for the issuance of an immigrant visa was filed on her behalf by Corporal Murphy but was denied by this Service on April 20, 1954, on the ground that, as an illegitimate child, she was not entitled to nonquota or preference quota status under the provisions of the Immigration and Nationality Act. This denial was affirmed by the Board of Immigration Appeals, which dismissed an appeal on June 25, 1954.

The Director of the Visa Office, Department of State, also submitted the following report dated May 17, 1955, to the Committee on the Judiciary of the House of Representatives:

DEPARTMENT OF STATE,
*Washington, May 17, 1955.*

Hon. EMANUEL CELLER,
*Chairman, Committee on the Judiciary,*
*House of Representatives,*

DEAR MR. CELLER: Reference is made to your letter of February 28, 1955, and its enclosures, wherein you requested a report of the facts in the case of Miss Ingrid Liselotte Poch, beneficiary of H. R. 2079, 84th Congress, 1st session.

There are enclosed two copies of a self-explanatory communication dated March 29, 1955, from the American consulate general at Munich.

At the present time there is no information in the Department's files from which it could be ascertained whether or not Miss Poch would be eligible in all respects to receive a visa.

Sincerely yours,

ROLLAND WELCH,
*Director, Visa Office.*

Enclosure.

OPERATIONS MEMORANDUM

MARCH 29, 1955.

To: Department of State.
From: Amcongen, Munich, Germany.
Subject: Visas: Immigrant case of Ingrid L. Poch.
Reference: UROMV No. 592 of March 18, 1955.

Ingrid Liselotte Poch is the illegitimate child of Mrs. Adelinde Murphy, nee Poch. She is registered on the waiting list of intending immigrants under the Czechoslovak quota as of July 1, 1953. Unless it is possible for her stepfather, Cpl. George T. Murphy to adopt the child, she will not be entitled to any preference status and must await her turn on the waiting list. Corporal Murphy was informed to that effect on March 29, 1955.

Ingrid Liselotte Poch was born on December 8, 1942, in Neudek, Czechoslovakia.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (H. R. 2079) should be enacted.

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Calendar No. 1303

84TH CONGRESS, 1st Session } SENATE { REPORT No. 1292

# MRS. MARGARETE GICK SCORDAS

AUGUST 1, 1955.—Ordered to be printed

Mr. KILGORE, from the Committee on the Judiciary, submitted the following

## REPORT

[To accompany H. R. 2235]

The Committee on the Judiciary, to which was referred the bill (H. R. 2235) for the relief of Mrs. Margarete Gick Scordas, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

### PURPOSE OF THE BILL

The purpose of the bill is to waive the excluding provision of existing law relating to the conviction of a crime involving moral turpitude in behalf of the wife of a citizen of the United States and former member of our Armed Forces.

### STATEMENT OF FACTS

The beneficiary of the bill is 34-year-old native and citizen of Germany who has never entered the United States. She was married in July 1954 to a native-born United States citizen former member of our Armed Forces. She was convicted in Germany of theft. Without the waiver provided for in the bill she will be unable to join her citizen husband in the United States.

A letter, with attached memorandum, dated November 29, 1954, to the then chairman of the Committee on the Judiciary of the House of Representatives from the Commissioner of the Immigration and Naturalization Service with reference to H. R. 10246 which was a bill pending in the 83d Congress for the relief of the same alien reads as follows:

UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
*Washington, D. C., November 29, 1954.*

Hon. CHAUNCEY W. REED,
*Chairman, Committee on the Judiciary,*
*House of Representatives, Washington, D. C.*

DEAR MR. CHAIRMAN: In response to your request of the Department of Justice for a report relative to the bill (H. R. 10246) for the relief of Mrs. Margarete Gick Scordas, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files by the Newark, N. J., office, which office has custody of those files.

The bill would permit the beneficiary to enter the United States for permanent residence notwithstanding the provisions of section 212 (a) (9) of the Immigration and Nationality Act which excludes from admission to the United States aliens convicted of crimes involving moral turpitude. The bill further provides that the beneficiary be otherwise admissible under the said act. The bill does not specifically limit the exemption granted the beneficiary to grounds for exclusion of which the Department of State and the Department of Justice has knowledge prior to the date of enactment of the bill.

Sincerely,

———— ————, *Commissioner.*

MEMORANDUM OF INFORMATION FROM THE IMMIGRATION AND NATURALIZATION SERVICE FILES RE MRS. MARGARETE GICK SCORDAS, BENEFICIARY OF H. R. 10246

The beneficiary, Mrs. Margarete Gick Scordas, is a 33-year-old female, native and citizen of Germany, born July 13, 1921, at Boppard on the Rhine, Germany. She resides at Eickeler Strasse No. 35, Dusseldorf/Rath, Germany, and has never been to the United States. She is alleged to be excludable under section 212 (a) (9) of the Immigration and Nationality Act, in that, she has been convicted at Boppard, Germany, of theft in the amount of 1,000 marks, approximately $250 United States currency. According to the sponsor, the beneficiary was denied an immigration visa by the United States consulate at Frankfort, Germany, in April 1954. The committee may desire to request the Bureau of Security and Consular Affairs, Department of State, to secure information in this connection.

The beneficiary completed 4 years of high school in Boppard on the Rhine, Germany. She is self-supporting and is not known by the sponsor to have been a member of any organization. In July 1954, the beneficiary was married to Harris James Scordas, a native-born United States citizen. This was the first marriage for both.

Mr. Scordas was born in Newark, N. J., on February 23, 1931, and has resided with his parents at Irvington, N. J., since birth. After his return from the United States Army in December 1953, Mr. Scordas accepted employment as a transmitter tester at the Federal Telephone & Radio Corp., Clifton, N. J. His present earnings amount to approximately $3,952 per annum. His assets consist of a savings account in the amount of $841.27; 1950 Plymouth automobile, valued at approximately $900; and a $10,000 Government life-insurance policy.

A letter dated January 17, 1955, to the chairman of the Committee on the Judiciary of the House of Representatives from the Director of the Visa Office of the Department of State reads as follows:

DEPARTMENT OF STATE,
*Washington, January 17, 1955.*

Hon. EMANUEL CELLER,
*Chairman, Committee on the Judiciary, House of Representatives.*

DEAR MR. CELLER: Reference is made to Mr. Reed's letter of August 23, 1954, and its enclosures, wherein a report was requested of the facts in the case of Mrs. Margarete Gick Scordas, beneficiary of H. R. 10246, 83d Congress, 2d session.

A report received from the American consulate general at Frankfort, Germany, indicates that the alien was convicted of embezzlement on February 16, 1951, by the district court of Boppard/Rhein, and that on the basis of the foregoing conviction she was informally refused a visa on April 8, 1954. The consular report states that Mrs. Scordas' case was reviewed in the light of section 4 of Public Law 770, 83d Congress, 2d session, but that in view of the fact that the

amount embezzled was DM1,000, her ineligibility to receive a visa under section 212 (a) (9) of the Immigration and Nationality Act was not removed by the provisions of section 4 of the above-cited public law.

At this time the Department has no knowledge of any factor in Mrs. Scordas' case, other than the information hereinbefore cited, which would render her ineligible to receive an immigrant visa. However, it should be borne in mind that any other ground of ineligibility which may come to light prior to visa issuance would preclude Mrs. Scordas from receiving a visa.

Sincerely yours,

EDWARD S. MANEY,
*Director, Visa Office*
(For the Secretary of State).

Congressman Hugh J. Addonizio, the author of the bill, submitted the following letters in support of the bill:

DUSSELDORF-RATH, *January 19, 1955.*

I have known Mrs. Scordas nee Gick for several years. Mrs. Scordas' conduct is above reproach. As Mrs. Scordas is living with me as a subtenant and has access to all rooms, I can attest to her cleanliness and domesticity as well as honesty as the outstanding peculiarity of her open character. I consider and respect Mrs. Scordas as a good and dependable person and wish her the best for her future.

FRAU JOSEFINE KNOCHEL.

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RATINGEN, *January 19, 1955.*

Mrs. Scordas nee Gick has been known to us for some time in her work in the household of the Koenig family in Ratingen near Dusseldorf. Through frequent calls at the home of the Koenig family we had the opportunity to meet in Mrs. Scordas an honest, industrious and dependable character. She was the good spirit of the house. We want especially to mention her irreproachable, unobjectionable conduct, praiseworthy is also her willingness to help and outstanding her open character.

We have had good friendly relations with Mrs. Scordas right along and her intention to emigrate to America is generally regretted, because we will lose with her a valuable member of our acquaintance.

We wish Mrs. Scordas the best of everything for her future.

FAMILIE W. HERRMANN.

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DUSSELDORF, *January 19, 1955.*

We met Mrs. Scordas nee Gick approximately 4½ years ago. In this time we have learned to appreciate Mrs. Scordas as a good and honest person with an open character. In many situations she proved to be a person full of understanding and willing to help. The conditions in her parents' house can be called ideal. About the conduct of Mrs. Scordas we can say only the best, as we meet quite often. Our good neighborly relations which are of long standing, were never dulled because of the good character of Mrs. Scordas. We, therefore, are very happy to extend to Mrs. Scordas our best wishes for success in the future together with her husband.

GEORG SEIDEL,
CHRISTINE SEIDEL.

This is to certify that the above is a correct translation from the original German testimonials, to the best of my knowledge and belief.

Irvington, N. J., January 28, 1955.

[SEAL]

WILLIAM KELLER,
*Notary Public of New Jersey.*

My commission expires August 26, 1958.

AMERICAN CONSULATE GENERAL,
*Frankfort on the Main, Germany, January 3, 1955.*

Hon. HUGH J. ADDONIZIO,
*House of Representatives.*

MY DEAR MR. ADDONIZIO: I am writing in reference to your interest in the visa application of Mrs. Margarete Scordas.

You will remember that in my letter of December 16, 1954, I stated that when her court records have been reviewed by the consulate general, a determination would be made as to whether or not Mr. Scordas' present inadmissibility could be removed through the provisions of section 4 of Public Law 770.

It is with regret that I must advise you that as the court records confirm that she embezzled more than $100, the benefits of Public Law 770 are not applicable in her case.

You may be sure that in reaching a decision with regard to Mrs. Scordas' inadmissibility, the consulate general accorded her every consideration consistent with the existing immigration law and regulations.

Sincerely yours,

C. MONTAGU PIGOTT,
*American Consul General.*

The committee, after consideration of all the facts in the case, is of the opinion that the bill (H. R. 2235) should be enacted.

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# Calendar No. 1304

84TH CONGRESS, 1st Session | SENATE | REPORT No. 1293

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## MONIKA SCHEFBANKER

AUGUST 1, 1955.—Ordered to be printed

Mr. KILGORE, from the Committee on the Judiciary, submitted the following

## REPORT

[To accompany H. R. 2339]

The Committee on the Judiciary, to which was referred the bill (H. R. 2339) for the relief of Monika Schefbanker, having considered the same, reports favorably thereon, without amendment, and recommends that the bill do pass.

### PURPOSE OF THE BILL

The purpose of the bill is to grant to the minor child to be adopted by a citizen of the United States the status of a nonquota immigrant which is the status normally enjoyed by alien minor children of United States citizens.

### STATEMENT OF FACTS

The beneficiary of the bill is a 10-year-old native and citizen of Austria who has never been in the United States. She presently resides in Austria with her maternal grandparents. The beneficiary, who was born out of wedlock, is not the child of the adoptive father.

A letter, with attached memorandum, dated May 13, 1955, to the chairman of the Committee on the Judiciary of the House of Representatives from the Commissioner of the Immigration and Naturalization Service with reference to the bill reads as follows:

UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
*Washington 25, D. C., May 13, 1955.*

Hon. EMANUEL CELLER,
*Chairman, Committee on the Judiciary,*
*House of Representatives, Washington 25, D. C.*

DEAR MR. CHAIRMAN: In response to your request of the Department of Justice for a report relative to the bill (H. R. 2339) for the relief of Monika Schefbanker, there is attached a memorandum of information concerning the

beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the Milwaukee, Wis., office of this Service, which has custody of those files.

The bill is intended to confer nonquota status upon the alien child pursuant to sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, by providing that the child shall be considered to be the natural-born alien child of Dragoslav Novakovic, a citizen of the United States.

As a quota immigrant the child would be chargeable to the quota of Austria.

Sincerely,

———— ————, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE MONIKA SCHEFBANKER, H. R. 2339, 84TH CONGRESS

The beneficiary, Monkia Schefbanker, is a 10-year-old child, a native and citizen of Austria, born December 2, 1944. She has never been in the United States. She is the illegitimate child of Mrs. Dragoslav Novakovic, one of the sponsors of this bill. She is presently being cared for by the parents of Mrs. Novakovic in Bischofshofen, Austria, is of good health, and attending school regularly.

The sponsors, Mr. and Mrs. Dragoslav Novakovic, reside in Kenosha, Wis. They were married in St. Jolan in Pongau, Austria, on July 2, 1949. Of this marriage there is one son, George, 7 years of age, who is residing with the sponsors. Mr. Novakovic was born in Yugoslavia and attended the Yugoslav Military Academy. He served with the Yugoslav Army as a lieutenant during World War II. He was captured by the Germans in 1941 and placed in a concentration camp until April 1945. He entered the United States in 1949 as a displaced person, and was naturalized on November 15, 1954, in Kenosha, Wis. Mrs. Novakovic was born in Austria and resided in that country until her entry to the United States on August 17, 1951, as a nonquota immigrant, accompanied by her son. She stated that the beneficiary who was born out of wedlock is not the child of her husband. Also that the beneficiary did not accompany her to the United States in 1951 as the beneficiary was ill and it was decided to leave her with the grandparents and arrangements could be made for her to come to the United States at a later date. Mr. Novakovic stated that he intends to adopt the beneficiary. Both sponsors state that every month they send $25 and a package of food and clothing to the grandparents for the support of the beneficiary.

Mr. Novakovic has been employed as a machine operator for the Simmons Co.; Kenosha, Wis., since 1950 and earns $80 per week. Mrs. Novakovic is presently employed by the American Motors Co., Kenosha, Wis., as an assembler, and earns $84 per week. They have no assets other than a savings account of $350. Neither of the sponsors have a criminal record.

A letter dated May 18, 1955, to the chairman of the Committee on the Judiciary of the House of Representatives from the Director of the Visa Office of the Department of State reads as follows:

DEPARTMENT OF STATE,
*Washington, May 18, 1955.*

Hon. EMANUEL CELLER,
*Chairman, Committee on the Judiciary,*
*House of Representatives.*

DEAR MR. CELLER: Reference is made to your letter of March 1, 1955, and its enclosures, wherein you requested a report of the facts in the case of Miss Monika Schefbanker, beneficiary of H. R. 2339, 84th Congress, 1st session.

A report recently received by the Department from the American consulate at Salzburg, Austria, reads as follows:

"Monika Pauline Schefbaenker, born December 2, 1944, in Markt im Pongau, Austria, was registered at this consulate on July 20, 1954, for immigration to the United States. She is carried on the nonpreference portion of the Austrian quota waiting list. The records of the consulate indicate she was born out of wedlock to Paula Novakovic (nee Schefbaenker)."

As the quota for Austria is oversubscribed, it is anticipated that Miss Schefbanker would undergo a considerable period of waiting before a number could be allotted for her use.

At the present time there is no information in the Department's files from which it could be ascertained whether or not Miss Schefbanker would be eligible in all respects to receive a visa.

Sincerely yours,

ROLLAND WELCH, *Director, Visa Office.*

The committee, after consideration of all the facts in the case, is of the opinion that the bill (H. R. 2339) should be enacted.

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# Calendar No. 1305

84TH CONGRESS, 1st Session | SENATE | REPORT No. 1294

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## KAZUKO IWATA RAUSCH

AUGUST 1, 1955.—Ordered to be printed

Mr. KILGORE, from the Committee on the Judiciary, submitted the following

## REPORT

[To accompany H. R. 2704]

The Committee on the Judiciary, to which was referred the bill (H. R. 2704) for the relief of Kazuko Iwata Rausch, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

### PURPOSE OF THE BILL

The purpose of the bill is to waive the excluding provision of existing law relating to one who has been convicted of a crime involving moral turpitude in behalf of the wife of a United States citizen veteran.

### STATEMENT OF FACTS

The beneficiary of the bill is a 25-year-old native and citizen of Japan who presently resides in that country. On January 30, 1953, the beneficiary married Eugene Kenneth Rausch, a United States citizen who was then stationed in Japan with our Armed Forces. The couple has a United States citizen child who resides with the beneficiary. The record discloses that the beneficiary was convicted for the crime of theft covering eight separate offenses. Without the waiver provided for in the bill, the beneficiary will be unable to join her citizen husband in this country.

A letter, with attached memorandum, dated December 20, 1954, to the then chairman of the Committee on the Judiciary of the House of Representatives from the Commissioner of Immigration and Naturalization with reference to H. R. 10287, which was a bill introduced in the 83d Congress for the relief of the same beneficiary, reads as follows:

DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
*Washington, D. C., December 20, 1954.*

Hon. CHAUNCEY W. REED,
*Chairman, Committee on the Judiciary,*
*House of Representatives, Washington, D. C.*

DEAR MR. CHAIRMAN: In response to your request of the Department of Justice for a report relative to the bill (H. R. 10287) for the relief of Kazuko Iwata Rausch, there is attached a memorandum concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the Buffalo, N. Y., office of this Service which has custody of those files.

The bill is intended to exempt the beneficiary from the excluding provisions of section 212 (a) (9) of the Immigration and Nationality Act which relate to the exclusion of aliens convicted of crimes involving moral turpitude. Since it appears that the offense of which she was convicted was a petty crime, she may now be eligible to receive a visa under the terms of section 4 of Public Law 770, 83d Congress, which was approved on September 3, 1954.

Sincerely,

———— ————, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE KAZUKO IWATA RAUSCH, BENEFICIARY OF H. R. 10287

The information concerning this case was obtained from Eugene Kenneth Rausch, husband of the beneficiary.

Kazuko Iwata Rausch was born on September 7, 1929, at Tokyo, Japan. She married Eugene Kenneth Rausch, a native-born citizen of the United States, on January 30, 1953, in Kobe, Japan. She has never been in the United States and presently resides with her father, Hajime Iwata, at 543 Horinouchi, Hayama, Nachikanagawa-ken, Miura-gun, Japan. Mrs. Rausch completed the equivalent of our high-school curriculum. She is not employed and depends on the $150 to $200 monthly contributed by her husband for sustenance.

Mr. Rausch, the beneficiary's husband, testified that the beneficiary was refused an immigrant visa by the American consulate in Kobe, Japan, because of a conviction for petty larceny. The committee may desire to request the Bureau of Security and Consular Affairs, Department of State, to secure information in this connection.

A child, Michael Eugene Rausch, was born to the couple on May 22, 1954, in Tokyo, Japan, and now resides with the beneficiary.

Mr. Eugene Rausch has stated that he served in the United States Marine Corps from September 26, 1950, to September 26, 1954, with a period of service in Japan where he met the beneficiary. He is now employed as a sheer helper by the United States Gypsum Co., Warren, Ohio, at $1.69 per hour, and resides at Route 1, Andover, Ohio. His present assets consist of a house trailer worth about $900.

Congressman Oliver P. Bolton, the author of the bill, submitted the following letters and statement in support of the bill:

DEPARTMENT OF STATE,
*Washington, December 17, 1954.*

Hon. OLIVER P. BOLTON,
*House of Representatives.*

DEAR MR. BOLTON: I refer to telephone conversation of December 8, 1954, to previous telephone conversations and to my letter of July 19, 1954, concerning the refusal of an immigrant visa to Kazuko Iwata Rausch, wife of Cpl. Eugene K. Rausch.

Reference also is made to H. R. 10287, introduced by you on August 20, 1954, in behalf of Mrs. Rausch.

In connection with the police record dated July 14, 1953, referred to in my letter of July 19, 1954, which was presented in connection with the alien's application for a nonquota immigrant visa, and which, in addition to the commission of the crime of theft on several occasions, showed her to be an addict of the Japanese drug known as hiropon, an exchange of correspondence with our Embassy at Tokyo and with the Washington office of the Public Health Service, Department of Health, Education, and Welfare, has developed that hiropon is not a narcotic

drug within the meaning of the Harrison Narcotic Act or as referred to in sections 212 (a) (5) and 212 (a) (23) of the Immigration and Nationality Act of 1952.

While Mrs. Rausch may not be regarded as inadmissible into the United States and ineligible to receive a visa under the aforementioned sections of the Immigration and Nationality Act, I regret to inform you that, since the record of conviction in the case shows that she committed the crime of theft on 8 different occasions, she would be ineligible for the relief provided in section 4 of Public Law 770 as that section is restricted to the cases of aliens who committed only 1 crime involving moral turpitude.

Sincerely yours,

EDWARD S. MANEY,
*Director, Visa Office.*

[Translation]

DEAR SIR: I am writing this letter to you at the suggestion of my husband, Eugene K. Rausch, who urges me to tell you candidly and in detail about my guilt, and the circumstances in a case in which I was involved.

Until the end of the war I was just an ordinary girl student living with my parents. With the defeat and the ensuing confusion, however, my family, too, like many others found itself in financial difficulties, so I left home to become a dancer in Yokohama, and I believe that my income served to help my parents considerably.

Contrary to my expectations, dancing was very hard work, but 1 year passed by without mishap.

During this time I stayed at the home of Mrs. Takako Misu who, later, was to bring the case into the open. She had already been a friend, so when I went to work in Yokohama, I rented a room in her home and lived there as one of the family.

In the meantime, the Korean war broke out and my work became less profitable. Even though I worked all night through until my legs became stiff as poles, I could not make as much as I wished and my physical exhaustion increased.

It was then that I first took hiropon, a Japanese trade name for methyl benzedrene, at the urging of a dancer friend. This drug is a kind of a stimulant that was used during the war by airmen to relieve fatigue while making long flights. Continued use of hiropon brings about a state of paralysis and addiction. As I was totally ignorant of what the effects would be I took the drug from time to time because it gave me relief from physical weariness. Not knowing what might result, most of the dancers at that time, like me, were using this drug.

Under the totally disrupted conditions following the cessation of war and the terrible food situation, this (which we know now as an) evil drug sold like wildfire, and the prices soared very rapidly. When I realized that I could no longer continue as I had, I was already conquered by the drug and my mind (conscience) too, had fallen prey.

Takako Misu, at that time, was a schoolteacher. During the day, she, her husband, and a younger brother were all away from home, leaving me alone; and when they returned I had left for my work. Japanese homes have no interior doors or keys, so she and I used each other's rooms. Although I was working, very frequently I could obtain no money. Since I could not meet living expenses, I started to sell my possessions. Finally, I reached a point where I had nothing more to sell, where exhaustion was the only return for my work, and when I could no longer be without the drug. With my conscience dulled to a state of paralysis, I, in my desperation, took my friend's clothes and pawned them. Of course, she would not have ever dreamed that I would do such a thing, so she did not notice that anything was amiss.

Once, after matters had gone on without incident, I did become fearful and troubled as I still had some conscience left. But caught as I was in the difficulty of making ends meet, I ended up by surreptitiously taking her clothes and pawining them, praying all the while that I would not be caught. This happened eight times. After I had done this, I realized that all these clothes must be redeemed from the pawnshop and returned to their former place. I reasoned that, in order to do that I must, under any circumstances, stop the use of the drug. So I went to my parents' home in Hayama, and after I had practically recovered from the effects of paralysis, I returned to Yokohama.

In the meantime, my friend discovered that her clothes had disappeared, but she did not think for a moment that I might be the culprit. She concluded that the theft was done by someone from the outside and reported the matter to the police. But finding out that I was the guilty one, she did everything in her power

to help me out of the situation. But there was no legal way to save me from trial, since a theft had been committed, and I had to submit to a court trail.

My parents were shocked and heartbroken, but they pleaded that my punishment be made as light as possible. Through everyone's kindness and good will, the sentence of 1 year's imprisonment which was demanded was commuted to a sentence of 3 years on probation, and I did not go even once to prison.

Following this experience, I set myself to working very hard and repaid my friend her loss, totaling 26,000 yen. Needless to say, I stopped the use of the drug entirely and started life anew. My friend had not known of my addiction but despite all that I had done, she comforted and encouraged me and even to this day she has remained a friend with whom I am on the best of terms.

The 3-year probationary period passed without mishap and on December 17, 1953, I was acquitted.

Recalling the past, I am appalled at the wicked, fearful things that I have done and a feeling of dread takes hold of me every time I think of it. The police officers tell me to forget the past, but I never want to let myself forget, because I intend to recall all that has happened, whenever I am tempted to do anything wrong.

I told my husband my story briefly before we were married so he knows about it, but not in detail because I was so ashamed that I could not tell him everything. But I think it fortunate that I have told him of what had been an actual part of my life.

It is with great regret that I write to you as a person who must reveal her shame. If it were possible I would rather that this did not have to be.

I have written all that must be written.

I close with the prayer to God that with your help, I and our child, Micheal [sic] E. Rausch, may come to America very soon.

KAZUKO RAUSCH.

(Translated by Mrs. Katsuyo L. Takeshita, Japanese Section, Orientalia Division, Library of Congress, September 17, 1954.)

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AUGUST 6, 1954.

No. 904
Name: Iwata, Kazuko.
Date of birth: September 7, 1929.
Sex: Female.
Nationality: Japanese.
Registered address: 339 Komachi, Kamakura City, Kanagawa Prefecture.
Present address: Care of Sugahara, 980 Shimomeguro 4, Meguro-ku, Tokyo.

A check of our investigative files was made relative to the above person to obtain the following information:

The individual named above was arrested on the 15th of August 1951, by the Isoko police station, Yokohama, on charge of the crime of theft and sentenced to a 12-month imprisonment at hard labor, with execution of the sentence suspended during 3 years of good behavior, on the 17th of September, the same year (1951), at the Yokohama summary court. On the 28th of April 1952, however, the sentence was reduced to a 9-month imprisonment at hard labor, with execution of the sentence suspended during 2 years and 3 months of good behavior, in accordance with the Government Ordinance No. 118 which is known as the Commutation Ordinance.

Whereas the full term of the suspended execution was up on the 17th of December 1953, the pronouncement of the sentence has lost its effect since then. (That is legally to say there has been made no pronouncement of sentence at all.)

[SEAL] YAMAMOTO SHIZUHIKO,

*Senior Superintendent, Chief, 3d Public Safety Section, 2d Police Guard Bureau, Metropolitan Police Department, Tokyo, Japan.*

The committee, after consideration of all the facts in the case, is of the opinion that the bill (H. R. 2704) should be enacted.

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Calendar No. 1306

84TH CONGRESS, 1st Session } SENATE { REPORT No. 1295

UNIV. OF MICH.

AUG 8 1955

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# CHUNG POIK CHA AND HER CHILD, MYRA POIK CHA

AUGUST 1, 1955.—Ordered to be printed

Mr. KILGORE, from the Committee on the Judiciary, submitted the following

## REPORT

[To accompany H. R. 2897]

The Committee on the Judiciary, to which was referred the bill (H. R. 2897) for the relief of Chung Poik Cha and her child, Myra Poik Cha, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

### PURPOSE OF THE BILL

The purpose of the bill is to enable the fiance and minor child of a United States citizen veteran to enter the United States so that the fiance may marry her citizen fiance and that thereafter she and the child may reside in the United States.

### STATEMENT OF FACTS

The beneficiaries of the bill are mother and child, and they are 24- and 1-year-old natives and citizens of Korea, respectively. The adult beneficiary is engaged to marry Angelo Sacchetti, a United States citizen, who met the beneficiary while stationed in Korea with our Armed Forces.

A letter, with attached memorandum, dated June 8, 1955, to the chairman of the Committee on the Judiciary of the House of Representatives from the Commissioner of Immigration and Naturalization with reference to the case reads as follows:

UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
*Washington, D. C., June 8, 1955.*

Hon. EMANUEL CELLER,
*Chairman, Committee on the Judiciary,*
*House of Representatives, Washington, D. C.*

DEAR MR. CHAIRMAN: In response to your request for a report relative to the bill (H. R. 2897) for the relief of Chung Poik Cha and her minor child, Myra

Poik Cha, there is attached a memorandum of information concerning the beneficiaries. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiaries by the Duluth, Minn., office of this Service, which has custody of those files.

The bill is intended to authorize the admission of the beneficiaries into the United States for a period of 3 months as nonimmigrant temporary visitors provided the adult beneficiary is coming to the United States with the intention of marrying Angelo Sacchetti and provided the beneficiaries are found to be otherwise admissible. The bill further provides that if the marriage occurs within 3 months following their entry into the United States, the beneficiaries shall be granted permanent residence in the United States as of the date of the payment of the required visa fees with the proviso that if the marriage does not occur within 3 months, the beneficiaries shall be required to depart from the United States.

Sincerely,

———— ————, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE CHUNG POIK CHA AND HER MINOR CHILD, MYRA POIK CHA, BENEFICARIES OF H. R. 2897

The beneficiaries, Chung Poik Cha and her child, Myra Poik Cha, natives and citizens of Korea, were born on February 26, 1931, and May 9, 1954, respectively. They reside in Korea and have never been in the United States. The adult beneficiary is single, unemployed, and without assets, although she had been employed in a shoe factory. The extent of her education is unknown. Her father is deceased and her mother resides in Korea.

Angelo Sacchetti, a United States citizen and fiance of the adult beneficiary, is the sponsor of this bill. He is a high-school graduate. The sponsor served in the Armed Forces of the United States from August 1953 to December 1954. He resides at Virginia, Minn. and is employed by a mining company as an auto mechanic's helper at a salary of $73 a week. The sponsor has never been married. He is the father of the minor beneficiary. The sponsor has supported the adult beneficiary since prior to the birth of their child and the minor beneficiary since her birth

The Director of the Visa Office, Department of State, also submitted the following report dated June 20, 1955, to the Committee on the Judiciary of the House of Representatives:

DEPARTMENT OF STATE,
*Washington, June 20, 1955.*

Hon. EMANUEL CELLER,
*Chairman, Committee on the Judiciary,*
*House of Representatives, Washington, D. C.*

DEAR MR. CELLER: Reference is made to your letter of March 21, 1955, and its enclosures, wherein you requested a report of the facts in the case of Chung Poik Cha, beneficiary of H. R. 2897, 84th Congress, 1st session.

There are enclosed two copies of a self-explanatory communication dated April 26, 1955, from the American Embassy (Consular Branch) at Pusan, Korea.

At the present time there is no information in the Department's files from which it could be ascertained whether or not Miss Chung would be eligible in all respects to receive a visa.

Sincerely yours,

ROLLAND WELCH,
*Director, Visa Office.*

OPERATIONS MEMORANDUM

To: Department of State. Date: April 26, 1955.
From: American Embassy (Consular Branch), Pusan, Korea.
Subject: Visas: Case of Chung, Poik Cha, and her minor child.
Ref: Department's OMV–76 (sent Seoul) dated April 6, 1955.

Chung, Poik Cha filed an application for a visa in this consular office on April 11, 1955. Her application included her minor daughter, Myra. Since the applicant was considered a nonpreference quota immigrant and since she was born at Inchon City, Korea, February 6, 1931, this office forwarded the application and other papers to the Embassy at Seoul which has jurisdiction in Korean quota cases.

For the Department's information there was also received a letter from the

Honorable John A. Blatnik, Member of Congress, dated March 29, 1955. A copy of that letter and this office's reply under date of April 8, 1955, is appended.

If at such time as the private bill (H. R. 2897) is enacted into law Miss Chung's application as a temporary visitor (under the provisions of the proposed bill) for purpose of marriage to Angelo Sacchetti could be processed in Pusan since this office issues nonimmigrant visas, Miss Chung is presently residing at No. 1029 Su-jung-dong, Pusan City, Korea.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
*Washington, D. C., March 16, 1955.*

Re H. R. 2897, for the relief of Chung Poik Cha.

Hon. EMANUEL CELLER,
*Chairman, House Committee on the Judiciary,*
*House of Representatives, Washington 25, D. C.*

DEAR MR. CELLER: I have introduced H. R. 2897, a bill for the relief of Chung Poik Cha, the fiance of Angelo Sacchetti, a citizen of the United States, and her minor child, Myra Poik Cha. I will appreciate it if your committee will request a report from the appropriate administrative agency.

Pursuant to your subcommittee's rules of procedure, and especially with respect of rule 4 (c), I submit the following information:

Chung Poik Cha and her minor child are presently in Korea. She does not read nor write English but has learned to speak a little from her fiance, Angelo Sacchetti, while he was stationed with United States Armed Forces in Korea. She is originally from Sou-Yon, which is about a 6-hour ride from Inchon. However, at present she is living in Pusan. Angelo Sacchetti has been sending her parcels in care of a friend who is presently with the armed services. His name is Pvt. Tony Banuelos, RA56192149, Headquarters and Service Company, 14th Transportation Port Battalion, APO 59, care of Postmaster, San Francisco, Calif.

Angelo Sacchetti is presently living in Virginia, Minn., and is employed by the Oliver Iron Mining Co. His address is 720 13th Street North, Virginia, Minn.

I am informed that there is no administrative remedy available to the above-named alien.

I will be grateful if your committee will take favorable action on H. R. 2897.

Sincerely yours,

JOHN A. BLATNIK,
*Member of Congress.*

The committee, after consideration of all the facts in the case, is of the opinion that the bill (H. R. 2897) should be enacted.

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Calendar No. 1307

84TH CONGRESS, 1st Session — SENATE — REPORT No. 1296

# MRS. ELFRIEDA SCHOEPPE

AUGUST 1, 1955.—Ordered to be printed

Mr. KILGORE, from the Committee on the Judiciary, submitted the following

## REPORT

[To accompany H. R. 2916]

The Committee on the Judiciary, to which was referred the bill (H. R. 2916) for the relief of Mrs. Elfrieda Schoeppe, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

### PURPOSE OF THE BILL

The purpose of the bill is to grant the status of a nonquota immigrant to Mrs. Elfrieda Schoeppe which is the status she would be entitled to were it not for the death of her husband. She is the widow of a United States citizen member of our Armed Forces who was serving in Germany at the time of his death.

### STATEMENT OF FACTS

The beneficiary of the bill is about 30 years old and is a native of Austria. Her present citizenship status is unknown. She is the widow of Sgt. William E. Schoeppe who was serving with the United States Army in Germany at the time of his death. The beneficiary has two United States citizen children who will accompany their mother to this country. The family of the deceased husband wish to provide a home for the beneficiary and children in Pasadena, Calif.

A letter, with attached memorandum, dated May 11, 1955, to the chairman of the Committee on the Judiciary of the House of Representatives from the Commissioner of the Immigration and Naturalization Service with reference to the bill reads as follows:

UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
*Washington 25, D. C., May 11, 1955.*

Hon. EMANUEL CELLER,
*Chairman, Committee on the Judiciary,*
*House of Representatives, Washington, D. C.*

DEAR MR. CHAIRMAN: In response to your request to the Department of Justice for a report relative to the bill (H. R. 2916) for the relief of Mrs. Elfrieda Schoeppe, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service file relating to the beneficiary by the Los Angeles, Calif., office of this Service, which has custody of that file.

The bill would grant the alien the status of a nonquota immigrant.

Sincerely,

———— ————, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE ELFRIEDA SCHOEPPE, BENEFICIARY OF H. R. 2916

The beneficiary, Elfrieda Schoeppe, is residing abroad. Mr. Harry Alfred Schoeppe, who is the beneficiary's father-in-law, has furnished the following information:

Elfrieda Schoeppe, nee Kreuziger, also known as Elfrieda Babler, was born in Linz, Austria. Her date of birth is unknown, however, she is approximately 30 years of age. Her present citizenship status is unknown. The beneficiary is a widow. She married Sgt. William E. Schoeppe, a native-born United States citizen, in Linz, Austria, sometime during 1949. Sgt. William E. Schoeppe was serving in the United States Army in Linz, Austria, at that time. They were remarried by United States Army authorities in Munich, Germany, on December 2, 1954. Two children were born of this marriage, Christine, born in Linz, Austria, in February 1951 and Roberta, born in Munich, Germany, in January 1954. Sgt. William E. Schoeppe died in Munich, Germany, on December 12, 1954. The beneficiary and her two children presently reside in Munich, Germany. The beneficiary is not employed. She and her children are supported by funds received from the Veterans' Administration and from her husband's insurance, which combined amounts to $178 per month.

The beneficiary has no living relatives. Her late husband, Sgt. William E. Schoeppe, was born in Pasadena, Calif., on October 9, 1923. He enlisted in the United States Army in 1942 and served until 1946 when he was honorably discharged. He reenlisted in the Army in December 1948, serial No. RA39552725, and shortly thereafter was sent to Austria. At the time of his death Sgt. William E. Schoeppe was serving with the United States Army Quartermaster Corps in Munich, Germany.

Sgt. William E. Schoeppe's parents, Harry A. Schoeppe and Jacqueline Schoeppe, presently reside in Pasadena, Calif. Both are native-born United States citizens. Harry A. Schoeppe is employed as a jeweler by Twentieth Century-Fox Studios, Los Angeles, Calif. He receives an average monthly wage of $425. Jacqueline Schoeppe is employed as deputy city clerk, city of Pasadena, Calif., and receives a salary of $362 per month. In addition to their earnings, Harry A. Schoeppe is the beneficiary of a trust fund from which he receives $1,820 per year. Their assets consist of their home, valued at $25,000, on which they still owe $7,500. They have no dependents. Mr. and Mrs. Harry A. Schoeppe stated that they are financially able to support the beneficiary and her two children and wish to provide a home for them in Pasadena, Calif.

A letter dated May 23, 1955, from the Director of the Visa Office of the Department of State to the chairman of the Committee on the Judiciary of the House of Representatives with reference to the bill reads as follows:

DEPARTMENT OF STATE,
*Washington, May 23, 1955.*

Hon. EMANUEL CELLER,
*Chairman, Committee on the Judiciary, House of Representatives.*

DEAR MR. CELLER: Reference is made to your letter of March 11, 1955, and its enclosures, wherein you requested a report of the facts in the case of Mrs. Elfrieda Schoeppe, beneficiary of H. R. 2916, 84th Congress, 1st session.

There are enclosed two copies of a self-explanatory communication dated April 6, 1955, from the American consulate general at Munich.

At this time the Department has no knowledge of any factors in Mrs. Schoeppe's case, other than the information hereinbefore cited, which would render her ineligible to receive an immigrant visa. However, it should be borne in mind that any other ground of ineligibility which may come to light prior to visa issuance would preclude here from receiving a visa.

Sincerely yours,

ROLLAND WELCH,
*Director, Visa Office.*

FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, OPERATIONS MEMORANDUM

APRIL 6, 1955.

To: Department of State.
From: AMCONGEN, Munich, Germany.
Subject: Visas: Immigration case of Mrs. Elfriede Schoeppe.

In response to the Department's inquiry concerning the above-named applicant, the facts in the case are as follows:

Mrs. Schoeppe was convicted in Vienna in 1944 for a theft under section 171–173 of the Austrian Criminal Code. The value of the rings was officially set at RM218 or $67, and sentenced to 2 months imprisonment and payment of the court costs.

She and her husband were prevented from getting married because of the above conviction. However, after the Sheepherder's Act was enacted, the above grounds for exclusion were removed and the Army granted permission to marry and they actually married on December 2, 1954.

Her husband, Sgt. William Edward Schoeppe, died on December 12, 1954.

Two children, Christina Marie Schoeppe, who was born on January 31, 1951, and Roberta Dorothey Schoeppe, who was born on February 15, 1954, were legitimated by the subsequent marriage on December 2, 1954. There was a certificate of legitimation issued by the disrict court at Linz, Austria, on December 21, 1954, and a United States passport No. 85661 was issued to the two children on January 25, 1955.

Mrs. Schoeppe, since the death of her husband, is an Austrian quota non-preference applicant and would expect a delay of several years in obtaining a visa.

The conviction was under the Austrian Criminal Code although it was after Austria was absorbed by the Reich.

Copies of uncertified translations of the court proceedings in connection with the conviction are enclosed.

The consulate general is unable to submit a translation of the pertinent portion of the Austrian Criminal Code under which Mrs. Schoeppe was convicted as this code is not available.

Congressman Carl Hinshaw, the author of the bill, submitted the following letter in support of his bill:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
*Washington, D. C., March 9, 1955.*

CHAIRMAN, SUBCOMMITTEE ON IMMIGRATION,
*House Judiciary Committee, Old House Office Building.*

DEAR SIR: I would appreciate it very much if you would request a report on my bill, H. R. 2916, for the relief of Mrs. Elfrieda Schoeppe, which was introduced by me on January 24, 1955.

Mrs. Schoeppe is the widow of an American soldier, who died of a heart attack in Munich, Germany, on December 12, 1954, as he was preparing to bring his wife and two small children to this country. Mrs. Schoeppe is an Austrian national, and the marriage was made possible by an amendment to the McCarran-Walter Act. He had applied through the consulate office for a visa for his wife, which was about to be issued at the time of his death.

The father-in-law, Harry A. Schoeppe, 186 Annandale Road, Pasadena 6, Calif., has filed affidavits with the American consulate general, 28 Ludwigstrasse, Munich, Germany, attesting as to his financial responsibility, and is more than anxious to assume the care and support of his son's wife and two grandchildren.

Due to the urgency of his appeal, anything that can be done to expedite the bill will be deeply appreciated.

Sincerely yours,

CARL HINSHAW,
*Member of Congress.*

The committee, after consideration of all the facts in the case, is of the opinion that the bill (H. R. 2916) should be enacted.

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# Calendar No. 1308

84TH CONGRESS, 1st Session } SENATE { REPORT No. 1297

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## ROLF HUGO NEWMAN

AUGUST 1, 1955.—Ordered to be printed

Mr. KILGORE, from the Committee on the Judiciary, submitted the following

## REPORT

[To accompany H. R. 3195]

The Committee on the Judiciary, to which was referred the bill (H. R. 3195) for the relief of Rolf Hugo Newman having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

### PURPOSE OF THE BILL

The purpose of the bill is to waive the excluding provision of existing law relating to the conviction of a crime involving moral turpitude in behalf of the husband of a citizen of the United States.

### STATEMENT OF FACTS

The beneficiary of the bill is a 33-year-old native and citizen of Sweden who last entered the United States on May 15, 1949, as a seaman and after deportation proceedings were instituted against him, he was granted the privilege of voluntary departure and departed March 17, 1954. He presently resides in Gothenburg, Sweden. He married a United States citizen in 1949 and applied for preexamination but was found to be excludable from the United States because of a conviction in Sweden in 1941 for breaking into a store and stealing pipes, tobacco, and pouches. Without the waiver provided for in the bill, he will be unable to enter the United States to join his wife.

A letter, with attached memorandum, dated July 19, 1954, to the then chairman of the Committee on the Judiciary of the House of Representatives from the Commissioner of the Immigration and Naturalization Service with reference to H. R. 9202 which was a bill pending in the 83d Congress for the relief of the same person reads as follows:

JULY 19, 1954.

HON. CHAUNCEY W. REED,
*Chairman, Committee on the Judiciary,*
*House of Representatives, Washington 25, D. C.*

DEAR MR. CHAIRMAN: In response to your request of the Department of Justice for a report relative to the bill (H. R. 9202) for the relief of Rolf Hugo Neuman, there is attached a memorandum of information concerning the beneficiary.

This memorandum has been prepared from the Immigration and Naturalization Service file relating to the beneficiary by the San Francisco, Calif., office, which has custody of that file.

The bill would waive provisions of section 212 (a) (9) of the Immigration and Nationality Act to permit the admission of the beneficiary to the United States for permanent residence, if found otherwise admissible, and provides further that this exemption shall apply only to a ground for exclusion of which the Department of State or Department of Justice had knowledge prior to the enactment of this act.

As the husband of a United States citizen, the beneficiary is entitled to nonquota status in the issuance of an immigrant visa.

Sincerely,

——— ———, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILE CONCERNING ROLF HUGO NEUMAN, BENEFICIARY OF H. R. 9202

Rolf Hugo Neuman was born March 20, 1922, at Gothenburg, Sweden, and is a citizen of Sweden. He last entered the United States on May 15, 1949, as an alien seaman, and was temporarily admitted in pursuit of his calling. He failed to reship out of this country, however, and deportation proceedings were instituted against him on September 29, 1952. He was granted the privilege of departing voluntarily in lieu of being deported, and so departed March 17, 1954. His wife, Dorothy Neuman, a citizen of the United States, furnished information concerning him, and testified that he now resides at No. 5 Van Motet, Gothenburg, Sweden.

He had previously been admitted to the United States as a seaman in 1946 and was also granted voluntary departure at the time after being placed under deportation proceedings.

Mr. Neuman married Dorothy Angeline in 1949 at Reno, Nev., and applied for preexamination in order to proceed to Canada to obtain a nonquota visa for permanent residence in the United States. He was advised by the American consul at Vancouver, British Columbia, that he was excludable from the United States because of his conviction in Sweden in 1941 of the crime of theft, a crime involving moral turpitude, and consequently, any application for the issuance of an immigrant visa would be denied.

Mrs. Neuman testified that her husband is not now employed, has no assets, and had to borrow the money to defray his expenses in departing voluntarily to Sweden, in 1954. She also is unemployed, and her only assets are personal effects and household furnishings, which she values at $500.

**A letter dated June 25, 1954 from the Director of the Visa Office, Department of State, to the then chairman of the Committee on the Judiciary of the House of Representatives with reference to H. R. 9202 reads as follows:**

DEPARTMENT OF STATE,
*Washington, June 25, 1954.*

HON. CHAUNCEY W. REED,
*Chairman, Committee on the Judiciary,*
*House of Representatives.*

DEAR MR. REED: Reference is made to your letter of May 24, 1954, and its enclosures, wherein you requested a report of the facts in the case of Rolf Hugo Neuman, beneficiary of H. R. 9202, 83d Congress, 2d session.

You are informed that the American consulate general at Goteborg, Sweden, reported that Mr. Neuman was convicted of theft by the Magistrates Court, Gothenburg, Sweden, pursuant to paragraphs 4 and 5, chapter 20 of the Criminal Law of 1940–41, and was sentenced on September 3, 1941, to 3 months' imprisonment. The sentence, however, was suspended and Mr. Neuman was placed on probation for a period of 3 years. The offense for which Mr. Neuman was convicted was committed in December 1940 when he and other persons broke into

a store in Gothenburg and stole 6 pipes, 4 packages of tobacco and 2 tobacco pouches to the value of 26 kronor 70 öre.

The crime of theft has been held to involve moral turpitude within the meaning of section 212 (9) of the Immigration and Nationality Act, which renders ineligible to receive visas and excludable from the United States aliens who have been convicted of or admit having committed a crime involving moral turpitude. As a consequence, the responsible consular officer would have no choice under the law but to continue to withhold the issuance of a visa to Mr. Neuman.

At this time the Department has no knowledge of any factor in Mr. Neuman's case, other than the information hereinbefore cited, which would render him ineligible to receive an immigrant visa. However, it should be borne in mind that any other ground of ineligibility which may come to light prior to visa issuance would preclude Mr. Neuman from receiving a visa.

Sincerely yours,

EDWARD S. MANEY,
*Director, Visa Office*
(For the Acting Secretary of State).

Congressman J. Arthur Younger, the author of the bill, submitted the following letters in connection with the case:

HOUSE OF REPRESENTATIVES,
*Washington, D. C., June 23, 1955.*

Hon. EMANUEL CELLER,
*Committee on the Judiciary,*
*House of Representatives, Washington, D. C.*

DEAR MR. CELLER: You have before your committee H. R. 3195 which is a private bill that I introduced for the relief of Rolf Hugo Newman. To me it is one of the most deserving private bills that I have had the privilege of introducing.

The bill was before the 83d Congress but not in time to get action on it. Then last fall and this spring we were working on the assumption that there was administrative relief in this case under Public Law 770. Upon the advice of a member of the State Department he returned to Sweden for the purpose of reapplying for entrance into the United States since he has a wife who is a United States citizen.

His application, however, was turned down due to the fact that at the age of 18 he was convicted of what the Swedish Government terms a misdemeanor, but the value of the article stolen was something like $6. He is over in Sweden now and his wife is in this country.

I believe this is a very deserving case and I would appreciate it immensely if your committee would give early consideration to it in view of the fact that it was a bill which was introduced in the 83d Congress and was introduced late in this session only because we were led to believe that an administrative remedy was available.

Cordially yours,

J. ARTHUR YOUNGER,
*Member of Congress, Ninth District, California.*

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DEPARTMENT OF STATE,
*Washington, February 15, 1955.*

Hon. J. ARTHUR YOUNGER,
*House of Representatives.*

DEAR MR. YOUNGER: Reference is made to your letters of February 5 and February 8, 1955 (which were acknowledged by telephone on February 7 and February 9), transmitting the enclosed letter and court record in further connection with the visa case of Mr. Rolf H. Neuman.

It is noted that the consulate's letter stated that Mr. Neuman's case is being reviewed with a view to determining whether he is eligible for the relief provided in section 4 of Public Law 770. As you know, Public Law 770 provides for the relief of those aliens who have committed a crime involving moral turpitude definable as a petty offense under section 1 (3) of title 8, United States Code. However, since Mr. Neuman was convicted of felony as distinguished from a misdemeanor classifiable as a petty offense, the consular officer concerned would

have no alternative other than to find Mr. Neuman ineligible for the relief provided in the aforementioned law.

Sincerely yours,

EDWARD S. MANEY,
*Director, Visa Office.*

The committee, after consideration of all the facts in the case, is of the opinion that the bill (H. R. 3195) should be enacted.

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Calendar No. 1309

84TH CONGRESS, 1st Session — SENATE — REPORT No. 1298

# ANDREW CARRIGAN

AUGUST 1, 1955.—Ordered to be printed

Mr. KILGORE, from the Committee on the Judiciary, submitted the following

## REPORT

[To accompany H. R. 4544]

The Committee on the Judiciary, to which was referred the bill (H. R. 4544) for the relief of Andrew Carrigan, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

### PURPOSE OF THE BILL

The purpose of the bill is to extend the validity of a reentry permit issued pursuant to section 223 of the Immigration and Nationality Act in behalf of the minor adopted child of United States citizens until such time as the child becomes 10 years of age, or until his adoptive father resumes permanent residence in the United States, whichever occurs earlier.

### STATEMENT OF FACTS

The beneficiary of the bill is a 3-year-old native of Germany who was legally adopted in Germany by James and Jane Folger Carrigan, citizens of the United States. The adoptive father was born in Europe and derived United States citizenship through his father, who was stationed abroad with the Foreign Service. The beneficiary's adoptive father is presently assigned with the United States Information Service in Saigon, Indochina. Because he is serving in a critical area of the world and because of the value of his services, it is difficult to determine when he can be assigned to the United States for a sufficient length of time to enable the beneficiary to meet the naturalization requirements.

A letter, with attached memorandum, dated June 7, 1955, to the chairman of the Committee on the Judiciary of the House of Repre-

sentatives from the Commissioner of Immigration and Naturalization with reference to the case reads as follows:

UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
*Washington, D. C., June 7, 1955.*

Hon. EMANUEL CELLER,
*Chairman, Committee on the Judiciary,*
*House of Representatives, Washington, D. C.*

DEAR MR. CHAIRMAN: In response to your request for a report relative to the bill (H. R. 4544) for the relief of Andrew Carrigan, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the Ventura, Calif., office of this Service, which has custody of those files.

The bill would extend the validity of the reentry permit, number A8507859, issued at San Francisco, Calif., on August 25, 1953, to this alien, until May 4, 1962, or until such time as his adoptive father, James Carrigan, resumes permanent residence in the United States, whichever date occurs earlier. The reentry permit is now valid to August 25, 1955, the maximum to which it can be extended pursuant to section 223 of the Immigration and Nationality Act.

It appears that the beneficiary may qualify as a nonquota immigrant under section 101 (a) (27) (B) of the Immigration and Nationality Act, as, "an immigrant, lawfully admitted for permanent residence, who is returning from a temporary visit abroad," and may be eligible for a nonquota immigration visa for his return to the United States.

Sincerely,

——— ———, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE ANDREW CARRIGAN, BENEFICIARY OF H. R. 4544

Andrew Carrigan was born on May 4, 1952, in Straubing, Germany. He is stateless. His name at birth was Wilhelm Paszkan. He was legally adopted in Germany by James and Jane Folger Carrigan and his name changed to Wilhelm Carrigan. At present he is residing with his adoptive parents in Saigon, Vietnam, where his father, James Carrigan, is working for the United States Information Agency. His mother is also residing there. Their United States residence is shown as 580 Patterson Avenue, Santa Barbara, Calif. This addess is the home of Anna Sperry Carrigan, the mother of James Carrigan. The family resides at this address whenever he is in the United States on leave.

Wilhelm Carrigan entered the United States at New York, N. Y., for permanent residence on July 10, 1953. The adoptive parents completed another adoption of the child at San Francisco, Calif., and his name was legally changed to Andrew Carrigan. On August 25, 1953, the immigration office at San Francisco, Calif., issued a reentry permit to Andrew Carrigan valid until August 25, 1954. Additional extensions have been granted on this permit to August 25, 1955. He departed from the United States at New York on October 7, 1953.

Mrs. Anna Sperry Carrigan, the mother of James Carrigan, who is the adoptive father of the beneficiary, has furnished the following information: Her son, James Carrigan, was born in Eurone and derived United States citizenship at birth through his father, Clarence Carrigan, who was stationed abroad with the United States Foreign Service at that time. James Carrigan was born in 1921. James Carrigan is married to Jane Folger. She is a native and citizen of the United States. James and Jane Folger Carrigan have no other children.

The committee may wish to make inquiry through the Department of State to secure additional information regarding James Carrigan, as he is an employee of the United States Information Agency.

Congressman William S. Mailliard, the author of the bill, submitted the following letters in support of the bill:

HOUSE OF REPRESENTATIVES,
*Washington, D. C., June 14, 1955.*

The Honorable EMANUEL CELLER,
*Chairman, House Committee on the Judiciary.*

DEAR MR. CHAIRMAN: It is respectfully requested that a hearing on H. R. 4544, for the relief of Andrew Carrigan, be scheduled at the earliest practicable date.

From the information currently available, it would appear to me that this bill could be considered as noncontroversial and I will very much appreciate your consideration of H. R. 4544 on that basis.

At this time, I would like to point out that while Andrew Carrigan is eligible to apply for a returning resident alien visa, this is exactly the situation we are attempting to correct since it is necessary for his father to periodically request extensions of his reentry permit, and when this expires prior to the family's scheduled return to the United States, it is necessary to make application for a returning resident alien visa. All of the above is not only time-consuming, but involves some expenses to the Carrigans.

Therefore, since the bill would not in any way affect the quota situation and does not appear to set a precedent, I will appreciate the committee's early consideration of H. R. 4544 so that the Carrigans may benefit before the expiration of their son's current reentry permit.

Respectfully,

WM. S. MAILLIARD,
*Member of Congress.*

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UNITED STATES INFORMATION AGENCY,
*Washington, D. C., March 18, 1955.*

Hon. WILLIAM S. MAILLIARD.
*House of Representatives.*

DEAR MR. MAILLIARD: I have reviewed the file and proposed legislation which you transmitted to me under cover of your letter of March 3, 1955, relating to the reentry and naturalization problems of Andrew Carrigan, 2-year-old adopted son of Mr. and Mrs. James Carrigan.

As you know, James Carrigan's present assignment with the United States Information Service in Saigon will not be completed until November 1955. In view of the fact that he is serving the United States Government in a strategic and critical area of the world and because of the value of an officer with such experience in our overseas information program, it is difficult to determine when he can be assigned to the United States for a sufficient length of time to enable his minor son to meet the naturalization requirements of the existing law. Under these particular circumstances I feel that special consideration and favorable action should be accorded the Carrigans to enable them to solve present difficulties involving Andrew Carrigan's reentry and naturalization.

I believe that the enactment of H. R. 4544, which you have introduced into this Congress, would render vital assistance to the Carrigans: It would extend young Andrew's reentry permit for a sufficient period of time to allow for his father's assignment to the United States and the child's subsequent fulfillment of the residence requirement for naturalization as an American citizen; and it would enable the Carrigans to lead a normal family existence while Mr. Carrigan is working overseas. I therefore support the legislation in question.

I appreciate your submitting to me the file on this matter and trust that my comments will be of some assistance to you. As you requested, your file of correspondence is returned herewith.

Sincerely yours,

THEODORE C. STREIBERT, *Director.*

The committee, after consideration of all the facts in the case, is of the opinion that the bill (H. R. 4544) should be enacted.

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Calendar No. 1310

84TH CONGRESS, 1st Session — SENATE — REPORT No. 1299

# MRS. LEE SHEE YEE (ALSO KNOWN AS LEE LAI KOON)

AUGUST 1, 1955.—Ordered to be printed

Mr. KILGORE, from the Committee on the Judiciary, submitted the following

## REPORT

[To accompany H. R. 4643]

The Committee on the Judiciary, to which was referred the bill (H. R. 4643) for the relief of Mrs. Lee Shee Yee (also known as Lee Lai Koon), having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

### PURPOSE OF THE BILL

The purpose of the bill is to provide for the readmission into the United States of a former resident of the United States and the mother of five United States citizen children.

### STATEMENT OF FACTS

The beneficiary of the bill is a 63-year-old native and citizen of China who presently resides in Hong Kong. The beneficiary entered the United States in 1921 and resided here until 1934, when she returned to China. The beneficiary's husband, now deceased, was a merchant. While residing in the United States five children were born, all of whom are United States citizens, one of whom presently resides in Hong Kong.

A letter, with attached memorandum, dated June 3, 1955, to the chairman of the Committee on the Judiciary of the House of Representatives from the Commissioner of Immigration and Naturalization with reference to the case, reads as follows:

UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
*Washington 25, D. C., June 3, 1955.*

Hon. EMANUEL CELLER,
*Chairman, Committee on the Judiciary,*
*House of Representatives, Washington, D. C.*

DEAR MR. CHAIRMAN: In response to your request for a report relative to the bill (H. R. 4643) for the relief of Mrs. Lee Shee Yee (also known as Lee Lai Koon), there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the San Francisco, Calif., office of this Service, which has custody of those files.

The bill is intended to confer nonquota status upon the beneficiary pursuant to section 101 (a) (27) (B) of the Immigration and Nationality Act by providing that she shall be held to be classifiable as a returning resident.

Sincerely,

———— ————, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE LEE SHEE YEE (ALSO KNOWN AS LEE LAI KOON), BENEFICIARY OF H. R. 4643

Lee Shee Yee, also known as Lee Lai Koon, was born on November 6, 1893, in Seung Choon Village, Hoy San District, Canton, China, and is a citizen of China. She entered the United States at San Francisco, Calif., December 1920, and was admitted January 10, 1921, as the wife of Ong Yee, a merchant now deceased. She resided in the United States until 1934 when she returned to China, and is presently residing at 352 Lockhart Road, Hong Kong.

Mrs. Yee was educated in a Chinese school in her native country. She was married in China just prior to coming to the United States in 1921 and the record indicates that five children were the issue of this marriage, all of whom were born in the United States. Three of the children reside in San Francisco and one is residing in Hong Kong. The whereabouts of the other child is unknown. She is not employed but she has property in Hong Kong from which she receives an income and she is self-supporting.

The sponsor in this case is Stanley Yee, one of the beneficiary's sons. He was born in San Francisco, Calif., May 11, 1921, and is presently residing in San Francisco. He is a bookkeeper and window trimmer and his income is approximately $350 per month. He has an automobile worth approximately $800 but apparently has no other property or assets.

The Director of the Visa Office also submitted the following report dated June 8, 1955, to the Committee on the Judiciary of the House of Representatives:

DEPARTMENT OF STATE,
*Washington, June 8, 1955.*

Hon. EMANUEL CELLER,
*Chairman, Committee on the Judiciary,*
*House of Representatives.*

DEAR MR. CELLER: Reference is made to your letter of March 16, 1955, and its enclosures, wherein you requested a report of the facts in the case of Mrs. Lee Shee Yee (also known as Lee Lai Koon), beneficiary of H. R. 4643, 84th Congress, 1st session.

There are enclosed two copies of a self-explanatory communication dated February 24, 1955, from the American consulate general at Hong Kong.

There is also enclosed a copy of a report dated April 4, 1955, received by the Department subsequent to the above-mentioned communication which furnishes additional details in the case.

At the present time there is no information in the Department's files from which it could be ascertained whether or not Mrs. Yee would be eligible in all respects to receive a visa.

Sincerely yours,

ROLLAND WELCH,
*Director, Visa Office.*

OPERATIONS MEMORANDUM

FEBRUARY 24, 1955.

Subject: Visas: Immigrant visa case of Mrs. Shi Lai Yee (Lee Lai Koon).
To: Department of State.
From: American Consulate General, Hong Kong.
Reference: Department's OMV 287, dated February 15, 1955.

VP 13-7684 granting the subject second preference status was approved by the Immigration and Naturalization Service on November 18, 1953, and authorized by the Department on November 23, 1953. The subject was assigned the priority date of November 6, 1953. Since the Chinese quota is so heavily oversubscribed, however, no estimate can be made as to the possible date of issuance of the visa.

Inasmuch as the subject has apparently resided in Hong Kong since her return from the United States in 1934, except for a brief period of time between 1942 and 1945, when the Japanese occupied Hong Kong, it would not appear that she would be entitled to refugee status under Public Law 203.

As soon as the subject becomes otherwise eligible for a visa, she would be requested to undergo the regular physical examination. Should the results prove favorable, a visa could then be issued.

Congressman Charles Teague, the author of the bill, submitted the following letter in support of the bill:

SANTA BARBARA NEWS-PRESS,
*Santa Barbara, Calif., February 27, 1955.*

DEAR CONGRESSMAN CHUCK: Here are the facts regarding Ronnie Yee's grandmother, Mrs. Lee Shee, with which we hope you can draft a private law calling for admission of this widow to the United States from Hong Kong as a nonquota immigrant. This will allow her to become a citizen 3 years after her arrival here.

This was the method that we took with Ronnie Yee. Here's hoping you can get this into the legislative hopper soon and perhaps it can be passed through both the House and the Senate this term.

Certainly this fine lady is one who will be an independent and good citizen. She owns property in Hong Kong which she can sell for $20,000 to $25,000—insuring her own support for the rest of her days. With her three working children in San Francisco, there will be no question of her ability to get along in America. She is remembered here for the years (14) she lived in Santa Barbara and helped her late husband, Yee Ong, run a grocery.

Her only fault was this: After living in the United States from 1920 to 1934, she failed to file a statement of intention to reenter the country on her departure from Hong Kong. (The simple story is told in the attached News-Press clipping.)

Here are the facts:

Name: Lee Shee Yee, also known as Lee Lai Koon.

Born: November 6, 1893, in San Chung Village, Hoy Shan District, Kwangtung Province, China, the daughter of Lee Qing Doo and Lang Shee, both deceased.

Nationality: Chinese (she was never naturalized).

Present address: A widow, she lives at 342 Lockhard Road, first floor, Hong Kong.

Children: Stanford, Rosalind, and Minnie Yee, all whom may be reached at Apartment 5, 1664 Washington Street, San Francisco. A fourth is living with her in Hong Kong.

History: She first entered the United States at San Francisco about December 1920 on the steamship *China* as the wife of a lawful resident Chinese merchant, Yee Ong, also known as Yee Shi Lai. At the time of her admission she was issued certificate of identity No. 32647. She resided continuously from the time of her entry in the United States, departing for Hong Kong on February 23, 1934. At the time of her departure she was issued Immigration Service Form 432—return certificate of lawfully domiciled Chines laborer—and the same was applied through the Immigration and Naturalization Service, Ventura, Calif. The file number is No. 2412/12-A and it was approved by the district director of the Immigration Service at San Francisco on February 13, 1934, the file number being -/48012.

She left with the family, including her husband and five children. They lived in Hong Kong until the Japanese took over in 1941, when they moved back to the Wah Yang Village, Hoy Shan District, Kwangtung Province. There her husband died and after the war she returned to Hong Kong, living there ever since. She owns the building where she and her child are now residing and is self-supporting.

The property is currently valued at US$22,000 to $25,000. The child with her, being American born, can come over at any time.

Action on this matter will make this family a most happy one. It is a routine thing, but we here want to help in every way we can, speeding it through the legislative process.

Will you please inform me as to the people I could write to to urge action after you have introduced the bill? We plan to follow the progress through the months ahead in the News-Press, since Tri-County readers are so well acquainted with Ronnie Yee. He was the honored one in the Christmas parade in Santa Barbara last December—and his grandmother, a former Santa Barbara resident, should get similar treatment.

By the way, your letter, Report to the Citizens, just received here was excellent. It showed how active you and your good wife are in the Washington scene. We're proud of you, and particularly laud your stand on the draft and in veterans' affairs. We must build up a strong, Ready Reserve. We who are in the Reserve now particularly see the need for better training and appreciate President Ike's stand on the matter.

With every good wish,

Sincerely yours,

CHET HOLCOMBE.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (H. R. 4643) should be enacted.

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Calendar No. 1311

84TH CONGRESS, 1st Session } SENATE { REPORT No. 1300

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# MISS BLANCA LINA RIONEGRO

AUGUST 1, 1955.—Ordered to be printed

Mr. KILGORE, from the Committee on the Judiciary, submitted the following

## REPORT

[To accompany H. R. 5074]

The Committee on the Judiciary, to which was referred the bill (H. R. 5074) for the relief of Miss Blanca Lina Rionegro, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

### PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Miss Blanca Lina Rionegro. The bill provides for the payment of the required visa fee. No quota charge is provided for in the bill inasmuch as the minor alien children of citizens of the United States normally enjoy the status of nonquota immigrants.

### STATEMENT OF FACTS

The beneficiary of the bill is a 13-year-old-native and citizen of Spain who was admitted to the United States on December 20, 1953, as a visitor destined to her uncle, Mr. Frank Gonzalez, a United States citizen and his wife, also a citizen. The beneficiary's aunt and uncle intend to adopt the beneficiary and her natural parents have agreed to the adoption because of poor economic conditions in Spain.

A letter, with attached memorandum, dated August 3, 1954, to the then chairman of the Committee on the Judiciary of the House of Representatives from the Commissioner of Immigration and Naturalization with reference to H. R. 9123, which was a bill introduced in the 83d Congress for the relief of the same beneficiary, reads as follows:

UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
OFFICE OF THE COMMISSIONER,
*Washington, D. C., August 3, 1954.*

Hon. CHAUNCEY W. REED,
*Chairman, Committee on the Judiciary,*
*House of Representatives, Washington, D. C.*

DEAR MR. CHAIRMAN: In response to your request of the Department of Justice for a report relative to the bill (H. R. 9123) for the relief of Miss Blanca Lina Rionegro, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the Tampa, Fla., office of this Service, which has custody of those files.

The bill would grant this alien the status of a permanent resident of the United States upon the payment of the required visa fee. It also directs that one number be deducted from the appropriate quota for the first year such quota is available.

The beneficiary is chargeable to the quota of Spain.

Sincerely,

J. M. SWING, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE BLANCA LINA RIONEGRO, BENEFICIARY OF H. R. 9123

The beneficiary, Blanca Lina Rionegro, is a 12-year-old child, a native and citizen of Spain, born July 17, 1941, in Torrelavega, Santander, Spain. She was admitted to the United States at New York, N. Y., December 20, 1953, as a visitor until May 20, 1954. When admitted she was destined to her uncle, Mr. Frank Gonzalez of Tampa, Fla. Prior to coming to the United States she resided in Infiesto, Spain, with her parents, Antonio Rionegro and Carolina de la Prida Rionegro.

Warrant of arrest in deportation proceedings was issued against her May 19, 1954, on the grounds that she had failed to maintain the nonimmigrant status under which she was admitted.

The beneficiary is residing with her aunt and uncle, Mr. and Mrs. Frank Gonzalez in Tampa, Fla. Mrs. Gonzalez is the sister of the beneficiary's mother. Mr. and Mrs. Gonzalez desire and intend to adopt the beneficiary if she is granted permanent residence. Mr. and Mrs. Gonzalez are both citizens of the United States and were married November 17, 1946; they have two children, one 5½ years old and one 11 months old. Mr. Gonzalez has further testified to the following effect: that the beneficiary's parents have agreed to he and his wife adopting the beneficiary due to the poor economic conditions in Spain; that he is vice president and manager of the Don Schulstad Nash Co., automobile dealers of Tampa, Fla., with an average earning of $7,000 per annum; that he and his wife own their own home valued at $7,500; that he served in the United States Air Force with the rating of lieutenant from February 1, 1943, to February 8, 1946, and is presently a captain in the Air Force Reserves. Mr. Gonzalez desires to give the beneficiary a better standard of living and opportunities which he can offer here.

Congressman William C. Cramer, the author of the bill, submitted the following petition for adoption in connection with the case:

IN THE CIRCUIT COURT OF THE 13TH JUDICIAL CIRCUIT, IN AND FOR HILLSBOROUGH COUNTY, STATE OF FLORIDA

In Chancery. No. 100216-C

IN RE ADOPTION OF BLANCA LINA RIONEGRO, A MINOR

PETITION FOR ADOPTION. FRANK GONZALEZ AND AIDA P. GONZALEZ, PETITIONERS

*Petition for adoption*

Come now Aida P. Gonzalez and Frank Gonzalez, the husband of Aida P. Gonzalez, who reside at 816 West Ohio Avenue, Tampa, Hillsborough County, Fla., and file this their petition for the legal adoption of Blanca Lina Rionegro, and respectfully show unto the court:

I

That the name of the minor child sought to be legally adopted by petitioners is Blanca Lina Rionegro, who is of the female sex, color white, and now 12 years of age.

II

Petitioners desire to adopt said minor child under the name of Blanca Lina Gonzalez. That the names and places of residence of petitioners is Aida P. Gonzalez and Frank Gonzalez, and their residence is 816 West Ohio Avenue, Tampa, Hillsborough County, Fla.

III

That petitioners were legally married on the 17th day of November 1946.

IV

That said minor child has resided in the home of your petitioners and has been in their custody since the 20th day of December 1953, and still resides there, and that they have become very much attached to and in love with said child, as much as they could possibly love their own.

V

Petitioners allege that the natural parents of said child will voluntarily surrender their rights as parents, the proof hereof will be hereafter produced, and that said child has no other legal guardian.

VI

Petitioners allege that the petitioner Frank Gonzalez holds a lucretive position as vice president and office manager of Don Schulstad Nash Co., and is amply able to maintain, support, and educate said child, and that said petitioners now own the home in the city of Tampa, Fla., in which they reside.

VII

That each of said petitioners are of good reputation, habits, and character, and live in good moral surroundings, and that both of said petitioners desire to adopt said child as a natural child, as their heir at law, and to give said child the benefit of an education and rear her in a good moral home and that they are equipped so to do.

Wherefore petitioners pray that a hearing be held upon this petition within the time provided by law, and that an interlocutory decree be entered in this cause touching the adoption of said minor, as the court may deem proper, and that upon final hearing of this cause that a final decree of adoption be entered granting your petitioners legal adoption of said child under the name of Blanca Lina Gonzalez, and entitling her to all of the privileges and subject to all of the obligations of a natural child of petitioners born of natural wedlock and divesting her natural parents of all rights in respect thereto, and that petitioners may have such other and further relief in the premises as to the court may seem proper.

And your petitioners will ever pray.

AIDA P. GONZALEZ,
FRANK GONZALEZ,
*Petitioners.*

HENRY HALE,
*Attorney for Petitioners, 1113 First National Bank Building, Tampa, Fla.*

The committee, after consideration of all the facts in the case, is of the opinion that the bill (H. R. 5074) should be enacted.

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Calendar No. 1312

84TH CONGRESS
1st Session

SENATE

REPORT
No. 1301

# MRS. KOTO NAKAGAWA

AUGUST 1, 1955.—Ordered to be printed

Mr. KILGORE, from the Committee on the Judiciary, submitted the following

## REPORT

[To accompany H. R. 5082]

The Committee on the Judiciary, to which was referred the bill (H. R. 5082) for the relief of Mrs. Koto Nakagawa, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

### PURPOSE OF THE BILL

The purpose of the bill is to provide for the readmission into the United States of a former resident of the United States and the mother of two United States citizen children.

### STATEMENT OF FACTS

The beneficiary of the bill is an 82-year-old native and citizen of Japan who presently resides in that country. She first entered the United States in 1907 and resided here until 1921, when the family returned to Japan. In 1928, she again entered the United States and resided here until 1931, when she returned to Japan in possession of a reentry permit. The beneficiary is a widow and her two children are citizens of the United States, and they are most anxious to have their mother rejoin them in the United States.

A letter, with attached memorandum, dated May 31, 1955, to the chairman of the Committee on the Judiciary of the House of Representatives from the Commissioner of Immigration and Naturalization with reference to the case, reads as follows:

UMITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
OFFICE OF THE COMMISSIONER,
*Washington 25, D. C., May 31, 1955.*

Hon. EMANUEL CELLER,
*Chairman, Committee on the Judiciary,*
*House of Representatives, Washington 25, D. C.*

DEAR MR. CHAIRMAN: In response to your request for a report relative to the bill (H. R. 5082) for the relief of Mrs. Koto Nakagawa, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the Ventura, Calif., office of this Service, which has custody of those files.

The bill is intended to confer nonquota status upon the beneficiary pursuant to section 101 (a) (27) (B) of the Immigration and Nationality Act, by providing that she shall be considered a resident returning from a temporary visit abroad.

Sincerely,

———— ————, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE MRS. KOTO NAKAGAWA, BENEFICIARY OF H. R. 5082

The beneficiary, Mrs. Koto Nakagawa, a native and citizen of Japan, was born on November 25, 1872. Her husband, Torakichi Nakagawa, whom she married on June 15, 1896, at Osaka, Japan, died in Japan on April 10, 1945. She has two children, a daughter, Faith (Hina) Yamanda, and a son, John (Mitsuo) Nakagawa, both citizens of the United States and residents of Santa Barbara, Calif. Mrs. Nakagawa has a nephew and niece in Yokkaichi, Mie-ken, Japan, where she is presently making her home.

She first entered the United States in 1907 and resided here until 1921 when the family returned to Japan. In 1928 she again entered the United States to join her immediate family who had preceded her. Mr. and Mrs. Nakagawa returned to Japan in April 1931 where she has since resided.

On October 8, 1954, her daughter filed a petition for the issuance of an immigrant visa in behalf of the beneficiary which was approved on November 12, 1954. The approval has established that she is entitled to a preference in the issuance of a quota immigrant visa.

The Director of the Visa Office, Department of State, also submitted the following report dated May 17, 1955, to the Committee on the Judiciary of the House of Representatives:

MAY 17, 1955.

Hon. EMANUEL CELLER,
*Chairman, Committee on the Judiciary,*
*House of Representatives.*

DEAR MR. CELLER: Reference is made to your letter of March 24, 1955, and its enclosures, where you requested a report of the facts in the case of Mrs. Koto Nakagawa, beneficiary of H. R. 5082, 84th Congress, 1st session.

There are enclosed two copies of a self-explanatory communication dated April 20, 1955, from the American consulate general at Kobe, Japan.

At the present time there is no information in the Department's files from which it could be ascertained whether or not Mrs. Nakagawa would be eligible in all respects to receive a visa.

Sincerely yours,

ROLLAND WELCH,
*Director, Visa Office.*

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OPERATIONS MEMORANDUM

APRIL 20, 1955.

To: Department of State.
From: AmConGen, Kobe.
Subject: Visas: Case of Koto K. Nakagawa. VP 16–7657.
Reference: Department's OMV–61 dated April 5, 1955.

Mrs. Koto K. Nakagawa is currently registered as of October 27, 1952, under the second preference portion of the annual quota for Japan. The consulate general, in accordance with instructions contained in Visa Circular 530 dated

March 22, 1955, Status of Quotas, is authorized to currently documentarily qualify only those applicants entitled to second preference status who were registered prior to September 1, 1952. It therefore appears that Mrs. Koto K. Nakagawa must anticipate an indefinite waiting period before a quota number may become available for her use.

Mrs. Koto Nakagawa applied for a returning resident's visa on October 27, 1952, but was informally refused because she was unable to establish her eligibility therefor, upon the basis of evidence submitted, within the meaning of section 4 (b) of the Immigration Act of 1924, as amended.

Mrs. Nakagawa returned to Japan in April 1931 in possession of reentry permit No. 698132 issued on April 1, 1931. Insofar as the consulate general has been able to determine she made absolutely no effort to return to the United States until October of 1952. She was unable satisfactorily to explain her protracted residence abroad nor did she submit evidence to the effect that her lengthy residence in Japan was due to circumstances beyond her control.

A review of the circumstances in Mrs. Nakagawa's case indicates that she is not entitled to nonquota status under section 101 (a) (27) (B) of the Immigration and Nationality Act.

Congressman Charles M. Teague, the author of the bill, submitted the following letters and statement in support of the bill:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
*Washington, D. C., March 21, 1955.*

Re H. R. 5082, Mrs. Koto Nakagawa.

Hon. EMANUEL CELLER,
*Chairman, Committee on the Judiciary,*
*House of Representatives, Washington, D. C.*

DEAR CONGRESSMAN CELLER: The Committee on the Judiciary is hereby respectfully asked to request reports from the appropriate departments on my bill, H. R. 5082, for the relief of Mrs. Koto Nakagawa.

It is noted that Mrs. Koto Nakagawa, now 82, has 2 children and 7 grandchildren in the United States, and that she resided in the United States (Los Angeles) for about 24 years. She is a widow.

I am pleased to submit for the consideration of the committee pertinent information supplied to me by Mrs. Faith Hina Yamada (daughter of Mrs. Koto Nakagawa), 345 Vista de la Cumbre, Santa Barbara, Calif., also a statement of facts given to me by Mr. Chester S. Holcombe of Santa Barbara, which I am presenting with this letter.

Sympathetic consideration of this case by the committee is respectfully requested, consistent with the circumstances.

Sincerely yours,

CHARLES M. TEAGUE,
*Member of Congress.*

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FACTS ON MRS. KOTO NAKAGAWA

*Name.*—Mrs. Koto Nakagawa, widow of Torakichi Nakagawa.

She was born Koto Kamikawa, November 25, 1872, in Osaka, Japan, the second daughter of Chubei Kamikawa (6 Tanimachi 1 Chome Higashiku).

*Marriage.*—June 15, 1896 (as registered on Koseki Tohon of Japan, actually 6 months before).

*Present address.*—Care of Mrs. K. Ichimi (her niece), Obiracho Yokkaichi City, Mie, Japan (not far from Osaka). Registered residence: 401 Kataecho, Higashinariku.

*Husband.*—The late Torakichi Nakagawa, oldest son of Kohichi Nakagawa, born on September 26, 1872, at Shiomachi 2 Chome, Minamiku, Osaka. Died on April 10, 1945, in Osaka.

*Present situation.*—Mrs. Nakagawa, now 82, and living with cousins since her 2 children and 7 grandchildren are all in the United States. Since 1952 the family has been endeavoring to secure permission for Mrs. Nakagawa to join them in Santa Barbara, Calif., but in vain.

The latest official word was from Robert T. Wallace, American vice consul at Kobe, on December 30, 1954, when he stated that the second preference portion of the Japanese quota is overloaded and she "must anticipate a protracted waiting period before further action can be taken" on the most recent petition for a visa application.

Therefore, legislation is necessary to classify Mrs. Nakagawa as a nonquota returning resident under the provisions of section 101 (a) (27) (B) of the Immigration and Nationality Act.

*History.*—Mrs. Nakagawa first came to the United States in May 1907, arriving at San Francisco aboard the steamship *China-Maru*, 7 years after her husband had arrived in San Francisco. She was accompanied by her nephew, Tetsuya Hisakuni, and Mr. and Mrs. Nakagawa made their home on East First Street, Los Angeles, Calif.

Two children, Sakae, a girl, and Giichi, a boy, were born to the Nakagawas in Osaka previously, but both died as infants.

Two more children were born in Los Angeles and both are living today. Hinako Nakagawa (now Mrs. Faith Hina Yamada) was born on December 5, 1908, at 114½ Wilmington Street, Los Angeles. John Mitsuo Nakagawa was born on November 20, 1910, at 229 North San Pedro Street, Los Angeles.

Her husband, Torakichi Nakagawa, the son of a cabinetmaker, worked in a cabinet shop in Los Angeles, and gradually went into carpentry. Later he became a building contractor. After the San Francisco earthquake (1906) he was busy rebuilding around the State. In time he established his own shop on North San Pedro Street, Los Angeles' Japanese community center at that time. He proudly installed a large electric power sawing machine.

Both Mr. and Mrs. Nakagawa were active members of the Koyasan Buddhist Church, the Japanese Association and the Japanese community. He is still well remembered in the Los Angeles area as a prominent figure. She was a member of the Japanese Woman's Club.

*Trips to Japan.*—Mrs. Nakagawa made her first trip back to Japan, leaving in March 1913, aboard the steamship *Taiyo-Maru*, with her two children. They returned to the United States in December of the same year on the steamship *Shunyo-Maru*, after visiting her parents in Osaka.

The second absence of her residence in the United States was when the whole family left in January 1921, aboard the steamship *Mexico-Maru*. They wanted to visit Mr. Nakagawa's sick mother and to give the two children a Japanese education. Mr. Nakagawa looked after his mother until she died, then returned to Los Angeles in 1922. Mrs. Nakagawa remained with the children in Japan as they continued their education. The son, John Mitsuo, returned to the United States in 1926 and the daughter, Hinako, in late 1927. Then Mrs. Nakagawa returned to the United States on the steamship *Korea-Maru* in July 1928. (She still has the old Japanese passport signed by the United States immigration officer, Phillip B. Jones, for her admission on July 23, 1928.)

Finally, Mr. and Mrs. Nakagawa returned to Japan, sailing in April 1931, aboard the Steamship *Asama-Maru*. They planned to retire in Japan, and failed to sign requests for reentry into the United States. They took up residence at 401 Kataecho Higashinariku, Osaka.

*Present situation.*—During the American air raids during World War II, the 12 properties owned by the Nakagawas were demolished. Then Mr. Nakagawa died of natural causes in April 1945. Mrs. Nakagawa was left alone—and she did not reestablish correspondence with her children in America until May 1947. Ever since, she has longed to be with her family again, in the United States. They are fully qualified to support her and be responsible for her. They are paying for her support in Japan at the present time, sending money regularly to Mrs. K. Ichimi, her niece, to supply her needs.

*History of children.*—Mrs. Faith Hina Yamada (formerly Hinako Nakagawa), wife of Harry Gakuro Yamada, living at 345 Vista de la Cumbre, Santa Barbara, Calif. Mr. and Mrs. Yamada were married at the Koyasan Buddist Church, Los Angeles, on April 30, 1940, by the Reverend Taido Kitagawa. Although she was a native-born American, she lost her citizenship by marrying Mr. Yamada (who was born to Mr. and Mrs. Choshiro Yamada on April 16, 1903, in Wachimachi, Miyoshi City, Hiroshima, Japan). Mr. and Mrs. Yamada became new citizens (Nos. 7216955 and 7216956) on June 16, 1954, at the Santa Barbara County Courthouse, Santa Barbara, Calif., legally adopting the names of Harry and Faith. He is a landscape gardener. They have four children: Pfc. Robert Yamada, 24, serving with an Army medical unit in Munich, Germany; Agnes Yamada, 21, on the staff of the Santa Barbara YMCA; Charlotte Yamada, 19, attending Santa Barbara College; and David Yamada, 17, a senior at Santa barbara High School, who recently served as lieutenant governor at the model legislature of the YMCA at Sacramento, Calif. All four children were born in Riverside, Calif., where the Yamadas were living before the war. World War II brought an end to Mr. Yamada's wholesale produce business with his two elder brothers, and the family went through the Japanese evacuation, wartime

camp life and relocation, going to the east coast and then to Santa Barbara on September 1, 1946, to reestablish their lives again. Mr. Yamada is now working as a landscape gardener. They are highly respected and well-known in Santa Barbara.

Mr. John Mitsuo Nakagawa (son), husband of Alice Kaoru Nakagawa, living at 405 North Nopal Street, Santa Barbara, Calif. He is a carpenter. They were married on May 7, 1933, at the Koyasan Buddhist Church, Los Angeles, by the Reverend Taido Kitagawa. Mrs. Alice Nakagawa was the former Alice Kaoru Hayashida, a native of Los Angeles, the second daughter of Tohei Hayash, deceased, and stepdaughter of Matakichi Inouye, deceased. They have three children: Pvt. William Nakagawa, 18, stationed with the Marine Corps at Twentynine Palms, Calif.; Richard Nakagawa, 14, and Gloria, 10, students in Santa Barbara schools.

Note.—The otherwise spotless record of the Nakagawas is marred by one fact. John Mitsuo Nakagawa and Alice Kaoru Nakagawa, both natives of Los Angeles, both renounced their American citizenship in the evacuation camp at Tule Lake, Newell, Calif., on April 26, 1945. They say, "It was a mistake," since they signed a paper handed around by some of the Japanese who were later found to be disloyal to the United States and sent to Japan. The couple have been trying to get back their citizenship ever since. They are known in Santa Barbara as quiet and law-abiding residents, and have no intention of going to Japan. They realize that it was a thoughtless thing to do, and have been regretting their action ever since. But Mr. Nakagawa says that he wants nothing to stand in the way of his mother, Mrs. Koto Nakagawa coming back to the United States. He is sending money to support her in Japan every month.

Now, Mrs. Koto Nakagawa is faced with this situation: She returned to Japan in 1931, and until 1952 made no notification of her desire to come to the United States. Thus she has passed more than 20 years without applying for reentry, thus failing to qualify for a nonquota immigration visa. At present it looks like she, at her advanced age, will die in Japan before she could get a visa to rejoin her family. Only special American legislation will secure a nonquota returning resident status.

CHESTER S. HOLCOMBE,
*The News-Press, De la Guerra Plaza, Santa Barbara, Calif.*

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CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
*Washington, D. C., July 13, 1955.*

Re H. R. 5082 (Nakagawa).

COMMITTEE ON THE JUDICIARY,
*House of Representatives, Washington, D. C.*

DEAR MR. BESTERMAN: Just a note as a reminder that Congressman Walter assured me that the above-entitled case would be considered on July 15.

Due to the age of Mrs. Nakagawa, time is certainly of the essence. Her American relatives are particularly outstanding Japanese-Americans. One of her grandsons is president of the Santa Barbara High School student body. The commanding officer of another grandson writes me from Germany that "his personal habits, devotion to duty, and on-the-job efficiency have been in keeping with the standards set by great Americans in our Nation's history."

I cite these things merely as evidence that this is a most deserving case and, in my opinion, Mrs. Nakagawa should be allowed to return to the United States at the earliest possible moment to take her place with her splendid American relatives.

Sincerely yours,

CHARLES M. TEAGUE,
*Member of Congress.*

The committee, after consideration of all the facts in the case, is of the opinion that the bill (H. R. 5082) should be enacted.

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# Calendar No. 1313

84TH CONGRESS, 1st Session } SENATE { REPORT No. 1302

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## MRS. JOHANNA ECKLES

AUGUST 1, 1955.—Ordered to be printed

Mr. KILGORE, from the Committee on the Judiciary, submitted the following

## REPORT

[To accompany H. R. 5908]

The Committee on the Judiciary, to which was referred the bill (H. R. 5908) for the relief of Mrs. Johanna Eckles, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

### PURPOSE OF THE BILL

The purpose of the bill is to waive the excluding provision of existing law relating to one who has been convicted of a crime involving moral turpitude in behalf of the wife of a United States citizen veteran.

### STATEMENT OF FACTS

The beneficiary of the bill is a 28-year old native and citizen of Germany who presently resides in that country. She is married to Larry Edward Eckles, Jr., a native-born citizen of the United States. The record discloses that the beneficiary was convicted in 1948, for the crime of aiding an abortion and was fined approximately $9. The beneficiariary's husband received his Ph. D. degree in November 1952, and is employed as an English instructor. Without the waiver provided for in the bill, the beneficiary will be unable to join her citizen husband in this country.

A letter, with attached memorandum, dated October 11, 1954, to the then chairman of the Committee on the Judiciary of the House of Representatives from the Commissioner of Immigration and Naturalization with reference to H. R. 5811, which was a bill introduced in the 83d Congress for the relief of the same beneficiary, reads as follows:

UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
*Washington, D. C., October 11, 1954.*

Hon. CHAUNCEY W. REED,
*Chairman, Committee on the Judiciary,*
*House of Representatives, Washington, D. C.*

DEAR MR. CHAIRMAN: In response to your request of the Department of Justice for a report relative to the bill (H. R. 5811) for the relief of Mrs. Johanna Eckles, there is attached a memorandum concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the Buffalo, N. Y., office of this Service, which has custody of these files.

The bill would exempt the beneficiary from the provision of section 212 (a) (9) of the Immigration and Nationality Act, which excludes aliens convicted of crimes involving moral turpitude, if she is found to be otherwise admissible under the provisions of that act. It would also provide that this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.

Sincerely,

———— ————, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE MRS. JOHANNA ECKLES, BENEFICIARY OF H. R. 5811

The information concerning this case was obtained from Larry Edward Eckles, Jr., husband of the beneficiary.

Johanna Elise Eckles, a native and citizen of Germany, was born on May 23, 1927. She married Larry Edward Eckles, Jr., a native-born citizen of the United States, on August 11, 1951, in Tuebingen-Derendingen, Germany. She has never been in the United States and presently resides at Moltkestrasse 13, Tuebingen, Germany, with her mother. She has the near equivalent of a high-school education and is not employed.

Mr. Eckles, the beneficiary's husband, testified that a visa petition has been approved for his wife but that apparently she was refused an immigrant visa by the American consulate, Munich, Germany, because of a conviction of aiding an abortion and received a suspended jail sentence. He relates the circumstances of the arrest as caused by the beneficiary's sale of medicines to an alleged doctor without a prescription while she was employed in a pharmaceutical establishment in Germany and that the alleged doctor used the medicines on his fiance. The committee may desire to request the Bureau of Security and Consular Affairs, Department of State, to secure information in this connection.

Mr. Eckles reported that he is a veteran of the United States Armed Forces in World War II. He has both a B. A. and M. A. degree in English conferred by Western Reserve University, Cleveland, Ohio. While presently employed as a welder at Thompson Products Corp., Cleveland, Ohio, at $1.70 per hour, he testified he has a position as an English instructor in East Carolina College, N. C., which he expects to fill in the fall, 1945. He has no assets as he sends money to the beneficiary for her support.

Representative Frances P. Bolton, the author of the bill, submitted the following letter in support of the bill:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
*Washington, D. C., April 29, 1955.*

Re H. R. 5908 for the relief of Mrs. Johanna Eckles.

Hon. FRANCES E. WALTER,
*Chairman, Subcommittee on Immigration,*
*Committee on the Judiciary, House of Representatives,*
*Washington, D. C.*

MY DEAR MR. CHAIRMAN: Enclosed you will find a copy of H. R. 5908, which I have introduced in behalf of Mrs. Johanna Eckles. This is similar to H. R. 5811, 83d Congress.

The brief facts in this case are as follows:

Prof. Larry E. Eckles married the former Johanna Bittler on August 11, 1951, in Germany. Mr. Eckles at the time was taking his doctorate work at the University of Paris, and after he was awarded a doctorate in comparative literature

in November 1952, he filed an application to bring his wife back to the United States with him. The American consul in Munich refused to grant Mrs. Eckles a visa for the reason that a criminal court conviction appeared on record. This conviction occurred in 1948, prior to the marriage of the Eckles and unknown to Mr. Eckles until the matter was brought to his attention by the American consul.

It happened that Mrs. Eckles, the former Johanna Bittler, was employed in a medical shop, and a man who was known to her and to others in the store as a "doctor" purchased a medicant from her without a prescription. This medicine was later used by the "doctor" to perform an abortion on his bride, which did not succeed, and to Mr. Eckles' knowledge resulted in no serious injuries. Miss Bittler was fined approximately $9. Subsequently, when she attempted to get a visa to the United States as the wife of Mr. Eckles, she was denied this visa under section 212 (A) (9) of the Immigration and Naturalization Act of 1952.

I have hesitated in reintroducing the bill in this Congress because I was hoping the matter would be taken care of by Public Law 770, 83d Congress. However, Mr. Rolland Welch, Director of the Visa Division, has written me as follows:

"Since Mrs. Eckles was convicted as an accessory to a crime that would be classifiable as a felony if committed in the District of Columbia, she would be unable to qualify for the relief provided in section 4 of Public Law 770."

It is my hope that your committee will be able to consider this matter at an early date as my constituent, Prof. Larry Eckles, is most anxious for his wife to join him in this country.

With appreciation, I am,

Sincerely yours,

FRANCES P. BOLTON.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (H. R. 5908) should be enacted.

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84TH CONGRESS, 1st Session } SENATE { REPORT No. 1303

# Calendar No. 1314

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## MOCK JUNG SHEE (MOCK JUNG LIU)

AUGUST 1, 1955.—Ordered to be printed

Mr. KILGORE, from the Committee on the Judiciary, submitted the following

## REPORT

[To accompany H. R. 5913]

The Committee on the Judiciary, to which was referred the bill (H. R. 5913) for the relief of Mock Jung Shee (Mock Jung Liu), having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

### PURPOSE OF THE BILL

The purpose of the bill is to provide for the readmission into the United States of a former resident of the United States and the mother of four United States citizen children.

### STATEMENT OF FACTS

The beneficiary of the bill is a 69-year-old native and citizen of China who presently resides in Hong Kong. She came to the United States in 1920, as the wife of a merchant, and resided here until 1936, when she returned to China. The beneficiary has four children, all of whom are United States citizens. Her husband is deceased, and her children are anxious that their mother be permitted to rejoin them in this country.

A letter, with attached memorandum, dated June 15, 1955, to the chairman of the Committee on the Judiciary of the House of Representatives from the Commissioner of Immigration and Naturalization with reference to the case reads as follows:

UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
*Washington, D. C., June 15, 1955.*

Hon. EMANUEL CELLER,
*Chairman, Committee on the Judiciary,*
*House of Representatives, Washington, D. C.*

DEAR MR. CHAIRMAN: In response to your request for a report relative to private bill H. R. 5913 for the relief of Mock Jung Shee (Mock Jung Liu), there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the San Francisco, Calif., office of this Service, which has custody of those files.

The bill is intended to confer nonquota status upon the beneficiary pursuant to section 101 (a) (27) (B) of the Immigration and Nationality Act, by providing that the beneficiary shall be held and considered to be classifiable as a returning resident.

As a quota immigrant the beneficiary would be chargeable to the quota for the Chinese.

Sincerely,

———— ————, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE MOCK JUNG SHEE, BENEFICIARY OF H. R. 5913, 84TH CONGRESS

Mock Jung Shee (Mock Jung Liu) a citizen of China, was born in China on May 29, 1886. She resided in China until 1920, when she came to the United States as a wife of a merchant, Mock Yee Sam, now deceased. She left the United States in 1936 and has resided abroad since that time. Prior to the time the Communists overran China she resided in Canton, where she had income property and gained her livelihood from the rentals. However, her property was lost to the Communists and she presently resides in Macao. She has four children, all of whom are citizens of the United States and residing in this country. As the mother of citizen children she would be entitled to second preference in the issuance of an immigrant visa but in view of the small quota for the Chinese it is not likely that she would be able to obtain a visa for some time.

The sponsor, Mrs. Pansy Mock Yim, is a daughter of the beneficiary. She was born November 21, 1908, in Macao but is a naturalized citizen of the United States. She is married to Herbert Jang Yim and they reside in San Francisco. They have two United States born children but these children are self-supporting and have their own places of residence. Although the sponsor is married she is employed as a seamstress and earns $65 per week. She and her husband have assets consisting of $3,000 equity in their home, $1,000 in United States savings bonds, and $1,600 out on loan.

Aside from her immediate family Mrs. Yim has three brothers residing in the United States.

The Director of the Visa Office, Department of State, also submitted the following report dated June 22, 1955, to the Committee on the Judiciary of the House of Representatives:

DEPARTMENT OF STATE,
*Washington, June 22, 1955.*

The Honorable EMANUEL CELLER,
*Chairman, Committee on the Judiciary,*
*House of Representatives.*

DEAR MR. CELLER: Reference is made to your letter of May 3, 1955, and its enclosures, wherein you requested a report of the facts in the case of Mrs. Mock Jung Shee (Mock Jung Liu), beneficiary of H. R. 5913, 84th Congress, 1st session.

There is enclosed a copy of operations memorandum No. 405 of March 7, 1955, from the American consul general at Hong Kong, which is self explanatory.

At the present time there is no information in the Department's files from which it could be ascertained whether or not Mrs. Mock would be eligible in all respects to receive a visa.

Sincerely yours,

ROLLAND WELCH, *Director, Visa Office.*

MARCH 7, 1955.

To: Department of State.
From: American Consulate General, Hong Kong.
Subject: Visas—Immigrant visa case of Mrs. Mock Jung Shee (Mock Jung Liu).
Reference: Department's OMV 298, February 24, 1955.

In accordance with the Department's instructions as contained in the above reference OMV, Mrs. Mock was interviewed at this office on March 7, 1955. At that time she volunteered the information that she left the United States in 1933 and has never since returned. She also stated that when she left in 1933 she had no intention of returning again to the United States. She is, therefore, not thought to be eligible for the nonquota status of a returning resident alien within the meaning of section 101 (a) (27) (B) of the Immigration and Nationality Act, and has been so informed.

Mrs. Mock is registered under the second preference category of the heavily oversubscribed Chinese quota. Her priority date is April 6, 1953.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (H. R. 5913) should be enacted.

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# Calendar No. 1315

84TH CONGRESS, 1st Session | SENATE | REPORT No. 1304

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## ELFRIEDE ROSA (KUP) KRAFT

AUGUST 1, 1955.—Ordered to be printed

Mr. KILGORE, from the Committee on the Judiciary, submitted the following

## REPORT

[To accompany H. R. 6741]

The Committee on the Judiciary, to which was referred the bill (H. R. 6741) for the relief of Elfriede Rosa (Kup) Kraft, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

### PURPOSE OF THE BILL

The purpose of the bill is to waive the excluding provisions of existing law relating to one who has engaged in prostitution in behalf of the wife of a United States citizen serviceman.

### STATEMENT OF FACTS

The beneficiary of the bill is a 26-year-old native and citizen of Austria who presently resides in that country. On March 3, 1954, the beneficiary married Sgt. Arthur Avold Kraft in Austria. Sergeant Kraft is a United States citizen and met the beneficiary while stationed with the Armed Forces in Austria. The couple has one child born in 1951, who is a United States citizen. The record discloses that the beneficiary was convicted in 1948, while a minor, for prostitution. She was placed on probation for 6 weeks. Sergeant Kraft is presently assigned to duty at Fort Knox, Ky., and without the waiver provided for in the bill, the beneficiary will be unable to join her citizen husband in this country.

A letter, with attached memorandum, dated July 14, 1955, to the chairman of the Committee on the Judiciary of the House of Representatives from the Commissioner of Immigration and Naturalization with reference to the case, reads as follows:

UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
*Washington 25, D. C., July 14, 1955.*

Hon. EMANUEL CELLER,
*Chairman, Committee on the Judiciary,*
*House of Representatives, Washington 25, D. C.*

DEAR MR. CHAIRMAN: In response to your request for a report relative to the bill (H. R. 6741) for the relief of Elfriede Rosa (Kup) Kraft, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the Washington, D. C., office of this Service, which has custody of those files.

The bill would exempt the beneficiary from the excluding provisions of section 212 (a) (9) and (12) of the Immigration and Nationality Act which exclude from admission into the United States aliens who have been convicted of a crime involving moral turpitude and aliens who are prostitutes or who have engaged in prostitution and would permit the beneficiary to be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that act. The bill further provides that this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.

Sincerely,

———— ————, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE ELFRIEDE ROSA (KUP) KRAFT, BENEFICIARY OF H. R. 6741

The following information concerning the beneficiary was obtained from her husband, Arthur Avold Kraft, sergeant first class, United States Army, service No. RA19325539:

The beneficiary was born on April 26, 1929, in Vienna, Austria. She has never been in the United States. She now resides at Neuhauserstk No. 21, Salzburg, Austria. Her parents are deceased. However, she has two aunts who reside in Europe. The beneficiary married Arthur Avold Kraft, who is a United States citizen, on March 3, 1954, in Salzburg, Austria. They have one child, Peter Kraft, who was born on August 2, 1951, in Saalfelden, Austria. The beneficiary is presently unemployed. However, prior to her marriage she was employed as a housekeeper in Salzburg, Austria. She has no known tangible assets and is supported by her husband, who sends her a military dependent's allotment of $157.10 a month. She has the equivalent of 1 year's college education.

The beneficiary while still a minor was involved in a crime involving moral turpitude. In 1948 she was arrested and convicted for prostitution, and placed on probation for a period of 6 weeks.

Sfc. Arthur Avold Kraft was born on November 25, 1930, in Fresno, Calif. He has been a member of the United States Army since October 12, 1949. While stationed with the United States Armed Forces in Austria, he met the beneficiary. He states the child, Peter Kraft, is his son and that he has registered this child at the American consulate in Salzburg, as a United States citizen. Sergeant Kraft is presently assigned to duty at Fort Knox, Ky. His income is $3,150 per year, which is his basic salary as a sergeant, first class, in the United States Army. His mother and two brothers reside in California.

The Director of the Visa Office, Department of State, submitted the following report dated June 27, 1955, to the Committee on the Judiciary of the House of Representatives:

DEPARTMENT OF STATE,
*Washington, June 27, 1955.*

Hon. EMANUEL CELLER,
*Chairman, Committee on the Judiciary,*
*House of Representatives,*

DEAR MR. CELLER: Reference is made to your letter of June 14, 1955, and its enclosures, wherein you requested a report of the facts in the case of Mrs. Elfriede Rosa (Kup) Kraft, beneficiary of H. R. 6741, 84th Congress, 1st session.

A report recently received by the Department from the American consulate at Salzburg, Austria, states that Mrs. Kraft was refused a visa under section 212 (a) (9) and (12) of the Immigration and Nationality Act as she had, between the

years 1947 and 1950 been apprehended at least eight times by either the military police, the criminal police, or the Austrian vice squad on charges of vagrancy, lack of identifying papers, or suspicion of being a carrier of venereal disease, or of practicing secret prostitution.

At this time the Department has no knowledge of any factor in Mrs. Kraft's case, other than the information hereinbefore cited, which would render her ineligible to receive an immigrant visa. However, it should be borne in mind that any other ground of ineligibility which may come to light prior to visa issuance would preclude her from receiving a visa.

Sincerely yours,

ROLLAND WELCH,
*Director, Visa Office.*

Congressman B. F. Sisk, the author of the bill, submitted the following letters and statements in support of the bill:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
*Washington, D. C., July 16, 1955.*

Hon. EMANUEL CELLER,
*Chairman, Judiciary Committee,*
*House of Representatives, Washington, D. C.*

DEAR MANNY: I hope you remember our conversation about a private bill which I put in for the wife of an American sergeant—Arthur A. Kraft—H. R. 6741, for the relief of Elfriede Rosa Kraft, and your willingness to have an early hearing on the bill. Sergeant Kraft has been in Washington for over a month trying to expedite the departmental reports and both the State Department and Justice Department reports are now in. Because Sergeant Kraft has been separated from his wife and son, and has even obtained an extended morale leave to try to have this bill enacted during this session of the Congress, I would deeply appreciate it if special effort could be made to have this bill included in current hearings and if successfully reported out brought to the floor of the House during the remaining days of the session.

As evidence in support of this legislation, I am enclosing a letter received from Capt. Leroy Schaefer as well as copies of letters from Mrs. Elfriede Kraft and the Department of State.

Sincerely,

B. F. SISK, *Member of Congress.*

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CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
*Washington, D. C., June 8, 1955.*

Hon. EMANUEL CELLER,
*Chairman, Judiciary Committee,*
*House Office Building, Washington, D. C.*

DEAR COLLEAGUE: I have today introduced a bill for the relief of Elfriede Rosa (Kup) Kraft, the wife of Sgt. Arthur A. Kraft who is a constituent of mine. I would appreciate it if you would ask the departments concerned for the necessary reports.

Sergeant Kraft, who has as his legal residence 4106 Harvey Street, Fresno, Calif., has recently returned from being stationed in Europe. He arrived in Washington June 4 and has about 30 days leave before reporting to his new assignment at 2128th SU, Fort Knox, Ky. He has advised me that he expects to be in Washington most of this time in order to be available for any consultation or interviews or do what he can to expedite action on this private bill. He will be available to the committee as well as to both the State Department and the Immigration and Naturalization Service if anyone should want to interview him in connection with this bill.

Sergeant Kraft has a 3-year-old American son and he is most anxious to be reunited with his wife and child. For your information and files I am enclosing copies of letters which Sergeant Kraft furnished and which he received through the offices of Senators Kuchel and Knowland who were looking into this visa application case. It is through the suggestion of Senator Kuchel that Sergeant Kraft has approached me for the introduction of a private bill and the Senator has expressed his willingness to assist in the Senate when the bill gets over there.

With best wishes, sincerely,

B. F. SISK, *Member of Congress.*

STATEMENT

HEADQUARTERS, 63D SIGNAL BATTALION (OPERATION),
APO 541, UNITED STATES ARMY,
*June 30, 1955.*

*To Whom It May Concern:*

This letter is written in behalf of Sfc. and Mrs. Arthur A. Kraft.

First, I wish to give the reader some background so as to gain full credit from the statements contained herein.

I am serving my second tour of duty in Austria as an officer in the United States Army. My first tour commenced in World War II when I came as a member of the liberating forces. My second tour started on July 7, 1953, when I assumed command of Tank to 350th Infantry Regiment. It was at this time I first became acquainted with Sergeant (first class) Kraft shortly later I was introduced to his fiance, later to become Mrs. Kraft.

Sergeant Kraft served in various capacities to include the position of platoon sergeant while under my command for 2 years. In each of these positions his overall rating was exceptionally high. He is fully capable of making command decisions in combat which in turn could and would directly affect the lives of 30 men who would be serving under him. Is he not able to make a mature decision and choose for himself a wife?

I speak the German language fluently, and I am personally acquainted with many of Mrs. Kraft's neighbors and friends.

I have yet to hear any derogatory remarks regarding Mrs. Kraft from any of them. They all hold her in high esteem. As for Sergeant Kraft, I look forward to having him serve again under my command.

To further indicate my personal evaluation of the morals, religious attitude, credibility, and soundness of character of both Sergeant and Mrs. Kraft I am proud to state that I served in the honored capacity of best man at both the civil and church marriage ceremony here in Salzburg, Austria, of this fine young couple.

Furthermore, I lived in their immediate neighborhood for a period of 1 year following their marriage. My wife, the mother of my 4 children, saw fit to include Mrs. Kraft in all the company's charitable projects while I was company commander of tank company for a period of 2 years. Mrs. Kraft always proved to be a willing, conscientious, and pleasant worker. She was respected and liked by her coworkers.

Mrs. Kraft has always been a model mother in my estimation and there is no indication, now that she is alone, that there will be any change in her morals or her character. I feel that Mrs. Kraft will be a credit to the United States as a citizen and a mother. Sergeant and Mrs. Kraft with their young son, Petie, had a model family life until military necessity separated Sergeant Kraft from his family. Should we as men put asunder what God hath joined together?

LEROY L. SCHAEFER, *Captain, Armor.*

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STATEMENT

TANK COMPANY (90-MM GUN),
350TH INFANTRY REGIMENT,
*APO 541, United States Army, June 16, 1955*

*To Whom It May Concern:*

I have known and lived near Sergeant (first class) Kraft, his wife, and son for approximately 8 months. She has been a model mother, housekeeper, and wife and is continuing to be now that her husband has been ordered back to the United States.

I have only a few thoughts on this unfortunate situation.

1. Sergeant (first class) Kraft is a career soldier and is an investment of many thousands of dollars of Government money. His effectiveness will be close to zero until he gets to be with his wife and son. The Army needs men of his quality.

2. The marriage was approved by the Army and the boy was an innocent result. He should not have to suffer because of a Government ambiguity.

3. Germany is now one of our firmest allies and Austria was never an enemy. War criminals are forgiven and shown mercy every day. Why not this mother also?

4. Sergeant (first class) Kraft served about 6 years in Austria for his country and served well. Our main mission in Austria has been to teach the principles of

democracy and human rights, yet one of our guardians is not allowed the most basic rights of human dignity—to choose his own wife. He is over 21 and deserves all the inherent rights of natural citizenship.

These are a few things I would not attempt to answer myself. I hope Sergeant (first class) Kraft can get just action from representatives of the people or else explain what justice would be in this case.

THOMAS C. DAVIS,
*First Lieutenant, Armor.*

The committee, after consideration of all the facts in the case, is of the opinion that the bill (H. R. 6741) should be enacted.

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